

Interview with William Gookin

Intro (Q): Let's start off by identifying on the tape that I'm Pam Stevenson and Manny Garcia is the videographer we're here at the SRP studios in Phoenix and it's August the 4th, 2004. And I'll let you give us your full name.

William (A): My full name is William Scudder Gookin, Jr. Everybody calls me Scudder.

Q. Is that a family name?

A. It is an old family name, yes.

Q. Tell me, we like to do a little background on everybody, when and where were you born?

A. I was born July 23, 1942, at Good Samaritan Hospital in Phoenix, Arizona.

Q. An Arizona native, we haven't gotten too many of those. I don't have to ask you what brought you to Arizona. Tell me a little about your family. Have they been in Arizona for a long time?

A. My grandparents moved to the Tucson area in 1936. And my father and mother followed them in 1937 when they got out of college. My father used to say he'd rather be unemployed where the weather was nice. And he went to work for, I think initially it was the U.S. Geological Survey and then in '39 or '40 he went to work for the Bureau of Reclamation. And continued working for the Bureau of Reclamation until about 1953.

Q. What did he do?

A. He was a civil engineer. And relevant to the CAP, he spent most of his career with the Bureau working on some of the documents that were ultimately used to justify building the Central Arizona Project. He was one of the principle authors of a book called, I don't remember the exact title of it, but it was everybody who knew anything about it called it "The White Book. It was published around 1950 by the Bureau. My father always used to say that the lowest name on the cover jacket was one level higher than the highest guy that had ever read it. So his name did not appear in it nor did any of the other "auth" people that actually wrote it. But anyway, then in 1953, he left Reclamation and at the time we were living in Oklahoma, he wanted to come back to Arizona. So we returned to Coolidge and he was the District Engineer for the San Carlos Irrigation and Drainage District in Coolidge. And during that time, my father was approached

by the, what was then called the Arizona Interstate Stream Commission, asking if he would be willing to appear as an expert witness in the case of *Arizona v. California*. And the Stream Commission went and talked to the Board at the irrigation district, to ask if they would let him go for one summer. And they agreed. So for the summer of 1956, we went to listen to the trial. He was actually a witness in the trial of *Arizona v. California* and it was supposed to have been over in the summer of '56. Well that drug out into the summer of '57 and also into the summer of '58. And through that time, finally the District Board went to the Interstate Stream Commission and said, "We need a District Engineer and Manager and we don't have one because he was gone every summer, and that's our busiest time. So you either have to let him loose or hire him." And so they made arrangements for him to go to work half time for the Stream Commission and the other half time as the – for the Arizona Power Authority as the Administrator of the Arizona Power Authority. And then after awhile, due to some conflicts between the power interests and the water interests, he was forced to choose staying with the Stream Commission or staying with the Power Authority, both of them were a half-time job. Some of the Stream Commission members suggested that he should start a consulting business and they provided him with some clients to start with to fill in the other half time. And that, so he was spending roughly half time working for the Stream Commission and the other half of the time working for some irrigation district clients.

Q. What did he do for them? What kind of consulting did he do?

A. There was a program, I think it's still in the mode, called the Reclamation Government Reform or something like that. Basically it was to rehabilitate irrigation district canal systems. There were a lot of districts in the area that had dirt ditches at the time. And the government would loan them the money at no interest and a long time to pay it back, if they would concrete line those ditches. So what he was doing was designing irrigation, you know, lining systems for those irrigation districts. Also, wrote the reports for the repayment of the loans that formed the contract between the districts and the government. Anyway, he was doing that and I got out of college and went with him in 1965 and thought it was going to be a temporary job. And now my brother and I own the company and he passed away, my father passed away about ten years ago. Yeah, he actually continued in that basis with the Stream Commission and then it became the Water Commission. Until about - and shortly after the bill was passed that authorized the CAP in the late '60s and he was, at that time, told that either he had to do that full time or he had to give it up and go do something else. And by then, the company was up and going and he didn't want to let it go. So he quit the State and Gookin Engineers has been in business ever since.

Q. You mentioned about going to California in the 50's, did the whole family go over there when he was testifying?

A. Yes, we actually lived for two or three months every summer in a place called the Amigo Motel, which was on the corner of Union and Goth in San Francisco. It was a fascinating time for me because I was in high school at the time. And I had very little to do and a lot of the days I would go down and watch the trial as it was going on. Because the trial itself was not a trial like you envision on television or they have a jury and all that sort of stuff. There was a Special Master that was appointed to hear it by the Supreme Court, only one man by the name of Simon Rifkind. And uh, later I learned that his primary client when he wasn't doing that was the Kennedy Family. He was a brilliant man. You only had to talk to him once to figure that out. Anyway, he heard the case and the – I got to hear some of the people testifying, the attorneys' testifying, and of course in the evenings they would get together and figure out what they were going to do the next day. A lot of the people that were probably the most instrumental in that are now, they're now dead. They would get together in our apartment sometimes or sometimes we would go as a family to the other apartments and essentially the fellows that were working on the trial would do what they wanted to do and then when they would finally finish, we'd all go out to dinner somewhere down on Fisherman's Warf or somewhere like that. It was really a fun time. There were cable cars were still running and there was a lot of neat things to do in that town.

Q. Did the trial only go on in the summer? Did he want to go there in the summer?

A. It only went on in the summer. Judge Rifkind had his own law practice. And I don't remember what his rate was but he was actually paid by the states whatever his rate was, which at the time seemed quite high. But to get a man of that caliber, I'm sure it was expensive. He was only, he only made himself available during the summers and he had selected San Francisco. I'm sure for the weather and you know other reasons because he was, as I recall I can't remember whether he was from New York or where he was from but somewhere back east. And I don't think he wanted to have trials in Phoenix or El Centro or somewhere like that in the summer. And I can't say that I blame him.

Q. But it doesn't seem like a real efficient way to do a trial, they certainly didn't resolve anything that quickly.

A. No. The original trial that we didn't attend which started in the 1940's and I was told by all the people working on the trial we were in, was almost completed and the Special Master died. And the one we were in, they essentially, what they did was start all over because after the Special Master had died, the determination was made that too much of it was done to have anyone reasonably read whatever record there was and look at the exhibits so the decision was made to do it all again.

Q. For the people who might be listening to the tape future generations, why don't you back up and just explain what was at stake at the trial, why were they having the trial?

A. This is my understanding of it; attorneys would probably disagree. But my understanding was Arizona had for years been trying to get the Central Arizona Project approved to bring water into Central Arizona from the Colorado River. California did not want that to happen because they knew eventually that would cut back on California's ability to take water out of the river. Essentially through various water rights that were in place that had been forced on the states – one of them is the Colorado River Compact. I think it was in the 20's maybe '25 or thereabouts, that was signed by all the states under duress. At least from the documents I've read, it appeared that way because without it, the Boulder Canyon Project Act would not have been passed which made it possible to build Boulder Dam or Hoover Dam whatever you want to call it. And there was great interest among, in particular in California to have that constructed because it was needed to provide water in times of shortage primarily at the time for Imperial Irrigation District, El Centro area. But over the years, Los Angeles had come to rely on water on the Colorado River and essentially they were doing anything they could to delay or eliminate the CAP from being built because it would be that much less competition for the water. Because the thought at the time and the enforcement at the time was, if the water was not being used by someone else, it was available for whoever could use it. And the proportions and quantities set forth in these earlier decrees would not be enforced until there was a call placed on the water. So if Arizona wasn't asking for any water and it was just running down to the Gulf of Mexico or to Mexico under their treaties, then California or other states like Nevada could go ahead and take the water in excess of the amount that was allotted under these compacts.

The trial essentially was. . . at the time they started I think everybody had a grand and by everybody I mean I think all sides hoped that they were going to somehow get more water than had been set forth under these compacts and through the Boulder Canyon Project Act. My father commented when the results finally came out and in my readings of them since then, I would agree. I don't think that the trial changed much of anything because essentially what the Judge did, in a book that was about this thick, was re-state the Boulder Canyon Project Act and all of the other compacts that went before and announced that in fact the Secretary of Interior did have the authority to do the things that he'd done and that things would continue as they had been. And that the Supreme Court was going to hold open the option to re-visit that at anytime if they thought the Secretary of Interior got out of line. And they ultimately . . . the Master issued a report first that was reviewed and I assume modified somewhat by the Supreme Court members but ultimately adopted by the court and essentially said the same thing.

Q. US Supreme Court that's who you are talking about?

A. The United States Supreme Court, yes. It was kind of an interesting time watching these people. . .

Q. What was your father an expert on that they needed his testimony?

A. He was, he was a . . . from the time he was there he was Arizona's chief technical witness. As an engineer, he had been involved in the studies of water supply availability on the river in different irrigation projects, not for just Arizona, but for all of the states on the river. So he was, he was quite familiar with the operation of the PVID in Blythe, Palo Verde Irrigation District, the Imperial Irrigation District in Imperial, the El Centro area and also the Metropolitan Water District in some of their operations. And such, he presented; he was asked his opinions about various facts in light of all that. So he was an engineering expert witness. As a practical matter, because a lot of the technical matters involved the law or at least so that it was thought at the time, he insisted in writing them a lot of briefs that were done. Because most of attorneys didn't fully understand some of the technical aspects of it, so they would ask him to either write or review and help them edit things that they had written as they related to technical matters. So he was kind of involved.

Q. Sounds like it. Do you remember who some of the other key people were the attorneys and things?

A. Well yes, as far as technical witnesses there was a man that was involved before my father by the name of Perley Lewis. And Perley Lewis was a, he was a marvelous man. He was the engineer who, he had a very low PE number. He was one of the first registered engineers in Arizona. And I got to know him in later years fairly well. I guess he was 15 or 20 years older than my dad and he was a classic design engineer. You'd meet Perley and five minutes after you've met him, you would learn that he had been the regimental engineer for "Vinegar" Joe Stillwell. Perley Lewis built the Burma Road. And he had also when he was employed by the Salt River Project, he and one other man had designed Stewart Mountain Dam. I mean by themselves. And there've been some repairs made to it since but he was a heck of an engineer. I don't know why they replaced him with my father. At times he could get very opinionated and they may have had some differences of opinion. I don't know. But he was a great guy.

Some of the other people involved the attorney; there were two attorneys that I recall that were real heavy lifters in terms of thinking are both dead now. One of them was a man by the name of Charlie Reed who had been a law partner of

Ernest McFarland. Who Ernest McFarland, both of them had been the attorneys for San Carlos Irrigation and Drainage District. McFarland owned a farm down in Florence and Charlie Reed had been their attorney forever I guess. After McFarland left to go to the Senate, he was in the United States Senate and then subsequently the Governor of Arizona. McFarland and Reed were really the, I think, architects behind the approach and what they did. There were a bunch of other attorneys that were involved, for instance Mark Wilmer. Probably one of the most magnificent orator of presenters I've ever heard. I mean he was just marvelous. But my impression was he was not really involved in the theory of the case because in the nights that he was going to be presenting, my father and Reed and some others would get together and basically prepare a script for Mark Wilmer which they would present him at breakfast the next morning. And he would look it over and read it and he was terribly bright. I mean he just picked this stuff up very quickly. And then he'd go in the courtroom and it was like watching a movie. I mean it was just marvelous. It's too bad they didn't make a tape like this of some of his presentations.

But some of the other attorneys that were there, Robert Begam was there and gosh, Calvin Udall. I babysat some of Bob Begam's kids. I used to clean Cal Udall's apartment for him. As a kid, I was always looking for extra money. And Ray Killian was he was, I forget what his position was at the Stream Commission, but he was always there and kind of babysitting the whole group to make sure everything came together when it should, and that the bills got paid. He was a heck of a nice guy. As a matter of fact, he got me my first real job. But that's another story nobody's interested in. But he was a very, very nice guy.

Some of the other attorneys, uh, Jack Madden who's now dead was involved. I don't remember some of the others. It's been almost 50 years so I'm sorry.

Q. I think you're doing good with names. As a teenager, you were allowed to just sit in on the court, was it a big courtroom or a room . . .

A. No, it wasn't that big, very few people were that interested. I mean basically you'd have the Special Master, a bunch of attorneys from both sides, the expert witnesses, and my recollection was that the experts were allowed to sit in on as much of it as they wanted to. As opposed to some trials where experts were excluded except when they're testifying. I know my father sat through most of it so he could assist in the preparation of the following day's materials even if he wasn't on. And the witnesses that California had were similar. I'm trying to remember who some of them were. One of them was a fellow that was the head of the Imperial Irrigation District but for the life of me, I can't remember. He was an engineer. The attorneys for California I don't remember their names anymore. Because I never really got to know any of those people, it was kind of a "we" and "they" situation. They didn't really talk to each other very much.

Q. It went on for three years?

A. Yes. Yes, well the hearing did. And then there were papers that were filed back and forth. And I don't think the Master's Report actually came out I think it was until 1960. But again, you know, it was a thick book and he was doing this part time. And my experience since then has been that water right lawsuits just take a long time. I mean they all do. This one, it took a long time.

Q. As young man and sitting there watching all this, did that influence what you decided you wanted to study?

A. No, not really. I didn't think I was going to be an engineer. My first degree was in Economics in Business. And I was partly through an MBA because that was supposed to be the road to easy riches, and then I noticed that the guys that were getting the good job offers had a technical undergraduate degree and decided maybe my dad wasn't as crazy as I thought he was. A lot of farmers find out that their IQ is very low in the eye of their sons until their sons get old enough that they have to make a living. And I think that's what happened to me so I then returned to Engineering School and got a degree in Engineering.

Q. Where did you go to school?

A. Well I started at Phoenix College, I went to the U of A for a while, and then I finished at ASU in Tempe.

Q. Equal time all around.

Manny: By the way, it was Mark Twain that said it best, he said, "The older I got, the smarter he got."

A. Yes, that's very appropriate and I'm finding that to be true with my sons.

Q. So your dad was back then working part time with the Water Commission?

A. Yes, we actually, our office was on the same floor as the Water Commission. They had half of the floor on the 6th floor of the Greater Arizona Savings Building at 112 N. Central. And we had the other half of the floor. And part of the day, my father would go across the hall into the Water Commission half and then the other part of the day normally he'd come over to our office. As time went by, that changed because they got into the mode of trying to get the bill passed to authorize the CAP. I can't remember if it was '67 or '68, but there was one year

when he made 54 round trips to Washington. And some of those were before they had jets so he spent a lot of time on airplanes and a lot of time away from the office. And I remember every now and then there'd be a nasty article in the paper pointing out that he made more than the governor did. We survived. But the, he increasingly spent time in DC and I would say two years prior to the passage of the bill which I think was in '68, he was gone from the office most of the time. He was either in Washington or back holed up with people while strategizing what they had to do to get the bill past. He'd call home almost every night from the hotel. I remember he called the nights there were riots going on in Washington and they were trying to burn the town down. You'd hear explosions in the background on the phone and ask what was that and oh somebody threw a bomb or whatever. Anyway, that was a real busy time for him. And a lot of the people there were different than had been involved in the trial. For instance, there was man by the name of Roger Ernst who was very active. I think one of his siblings or one of his relatives actually started a big accounting firm that had Ernst in the name. But Roger Ernst, I don't remember who he worked for, but basically he was actively lobbying for the CAP. And I'm sure he had an office back there and was doing that sort of stuff.

Some of the other people that were there Morley Fox, I don't know if Morley's still around or not. But he was actually I believe hired by the State as a lobbyist. And he was a fun guy to be around. I got to see him a lot. And on a couple of trips, I actually got to go back with my father because he thought I ought to see DC. And probably one of the most memorable ones for me was in about I think '66. On a Sunday afternoon, he took me in to meet Senator Hayden. To a guy that you know was 23 or 24 years old, this guy looked like the oldest person I'd ever met. He took one look at me and he said, "You know son, I used to be fat like you are." And he was pointing to a picture on the wall taken when, he told me, "That was taken when I was the Sheriff at Maricopa County." And he said, "Then I looked around and I noticed there were a lot of fat men and there were a lot old men but there aren't very many fat old men." And he said, "I thought I'd give being an old man a try." Because, by that time, he was just skin and bones. But apparently he really worked at it to keep his weight down. He had a fabulous sense of humor. But that's really I guess the only time I ever met him, but he was an awful nice guy. At that time, I think he was living in a Methodist Home somewhere there in the DC area. But he's still very active, like I say, he was in his office working on Sunday. I guess he went to work seven days a week.

Q. We interview Roy Elson who worked with him.

A. Yes, I know Roy pretty well. He knew my father even better. My father and Roy were great pals.

Q. He talked about how Carl Hayden was always working. It was hard to work for him because you know you were expected to always be there too.

A. Oh yeah, yeah. He was clearly of a different era. I mean I don't know how else to put it than that. But I mean some of the things that he would talk about and reminisce about were from an earlier, much earlier era. It was fascinating. I wish I had more time to listen to him but I didn't.

Q. Did you meet some of the other congressional delegation back there?

A. Yes, I met John Rhodes and I met Mo Udall. And I met Stewart Udall when he was. . . actually that must've been earlier though. You see, I met him once when he was still in Congress. And I don't know why we were back there but that would've been before Kennedy was President and so it was before we were lobbying. I don't know why we were there. But Senator Goldwater was never, at the times I was there, he was not in his office. So I never got to meet him until much, much later just a couple of years before he died. Yeah, I did get to meet a few; we didn't have as many in a congressional delegation then. I think there were only two or maybe three.

Q. Wasn't that part of the problem because California had us out numbered?

A. Well yeah and I'm sure they always will but not as badly as it used to be.

Q. Do you remember any of the hearings that you attended?

A. I remember attending them but I really don't remember what went on. Frankly, the parts that I went to I think were mostly – I don't know how to describe it, but they were talking more about procedures and were talking about the bill itself. There seemed to be much maneuvering going on and I, I'll be honest with you, I didn't understand it. I didn't go to many of the hearings. The ones I went to, frankly, I thought were pretty dull. But I guess if the bill got passed it was worth it.

Q. Do you remember when the bill did get passed in 1968?

A. Yes.

Q. Was there a big celebration?

A. Um, yes, well . . . the only celebration that I remember was they had one at our house and there was one at some other people's houses. My father was very

proud of the fact that he got one of the pens that President Johnson signed the bill with. And then the President sent him a picture of him shaking hands with the President at the signing. And we still have that pen knocking around the family somewhere and I guess we always will. Because I think that was probably the highlight of his life cause he had been working on it on and off since 1940. But uh, I don't recall that there was actually, if there was a formal party thrown somewhere I wasn't aware of it. May have been, but I know a lot of fellows that were involved in the lawsuit and that had involved in the lobbying. There were a couple of private parties thrown in Phoenix, yeah. A lot of happiness about it, a lot of optimism, everybody was optimistic this was gonna be done in two or three years. Well it didn't work out that way. Anyway . . .

Q. You mean you thought it could be built in two or three years?

A. They thought it could be built a lot sooner than it was. About the time that the bill was passed, it was about the same time that the country got on a craze about planning and a craze about environmental things. And, I remember my father commenting many times when he looked at what this thing wound up costing, he said, "You realize we spent more money studying the bald eagle than it would have cost to build the project in 1960?" As a matter of fact, I looked at it a few times and the way it had been proposed in the earlier days of my understanding, it would have been cheaper to build it and then decide if you didn't want it to just abandon it then it would be to study it as much as they did. But they did study it and it took a long time and it changed.

Q. When it changed by '68 when it was passed, originally there was going be dams in the Grand Canyon?

A. Oh yes, I remember there was a lot of discussion about that including – one of my favorites – was an ad that ran in the Wall Street Journal paid for by the Sierra Club that showed a dam built up to the top of the Grand Canyon with water lapping at the bank of the Grand Canyon. And my father assigned me the task to compute how much concrete that would take. And I sat down and figured it out and then did some research and determined that it would've taken more concrete to build the dam they'd drawn a picture of than had ever been manufactured to that date. Because the dams that were proposed would not have been visible from the top, the Grand Canyon is so big to actually build something to plug it all the way up to the top is just an unimaginable construction feat. But the decision was made not to build them and there was much unhappiness about that at the time by my father and others. And of course the answer the Sierra Club and the others had at the time was you don't need hydropower, you can rely on nuclear. Later of course, I think they may have changed their mind about nuclear maybe they wished they'd done something different. But anyway, they were opposed to having the dams and of course the

principal purpose of those dams was to have generating facilities for electricity because the traditional way Reclamation projects had been paid for is through the sale of electric power. Probably the classic and most successful Reclamation project ever built was the Salt River Project. The hydropower that SRP generated on their dams generated more than enough revenue to pay off the cost of all the construction. And it is and I assume continues to be a terribly successful project. I've had several people in Reclamation tell me when I was working on CAP-related projects that the SRP is the most, they told me it was the most successful project that the Bureau had ever had. So, it's a great one.

Q. We interviewed Stewart Udall last year and he mentioned that 1968 was kind of a deadline to get it passed because he'd be leaving office and Johnson would be leaving office and they didn't know, and Carl Hayden was just about to leave office.

A. One way or another, yes.

Q. That they didn't know if they'd have another chance so it was really a push to get a compromise together.

A. It was and there were a lot of compromises made I know. And I don't remember what they were but there were a lot of compromises made and the bill was passed. And uh, I had forgotten that but you're right. Politically they thought if they didn't get it done then, that it didn't look near as good in the future at least for a long time. So they got it done.

Q. By then you were working for your father in the engineering firm?

A. Oh yes, yeah.

Q. How involved were you and your dad then in the planning stages that started after they got the bill past?

A. Not a great deal because it was shortly after that that he had left the state. Our involvement after that for several years was representing several different irrigation districts that wanted to get CAP water. For several years we represented the Harquahala Irrigation District, this is out west of Phoenix. We represented the Queen Creek Irrigation District, San Tan Irrigation District, and Chandler Heights Citrus Irrigation District. And for a while we represented RWCD, Roosevelt Water Conservation District most of which you would now know as downtown Mesa. But at the time, it was still mostly farms.

Q. You represented them as an engineering firm how did you do that? What did you do?

A. Well we prepared, we were in the process of preparing various feasibility studies to show how they could pay for a project to receive Central Arizona Project water. One of the requirements in the legislation was that there be certain water saving requirements had to be in place before you could take CAP water. And the interpretation of that was that if you had a dirt ditch system, you couldn't just take CAP water, dump it in the dirt ditch system, they wanted you to line your canals to save water. So we were involved in the, initially in doing some feasibility studies for these irrigation districts. Another one that we represented until they decided not to do it was one called McMicken Irrigation District which basically encompassed Goodyear and the areas north for a ways.

Q. They decided not to do it?

A. They decided not to do it. The problem they had was one of the restrictions based on receiving CAP water was at the time they had something called 160-acre limitation law. You couldn't put water on land to exceed 160 acres in the name of any single owner. And consequently that was changed to I believe 960 acres and of course when it was 160 acres within limits you could increase that because if you had a wife that was another 160 and if you had children each one of them could have 160. But in the McMicken area, they were a couple of large corporate farmers, Goodyear Farms was one. Because they were a corporation they didn't have wives and children and things of that nature so they were limited to 160 acres or subsequently 960. And there were also some provisions that required them if they were part of the District that took CAP water, they were required to file what was called a "recordable sales contract" essentially they had to agree to sell off their excess lands at a price that was to be determined after they'd made the commitment that they were willing to do this. And they made the decision, I mean the large owners, made the decision this isn't something that we want to get involved in, we'd like the water but we don't want the bureaucracy that goes with it. So they elected not to. That is my interpretation; some of the people out there may remember it differently.

Q. What is the rationale, the reasoning behind limiting it to 160 acres?

A. I think reading the history of it, it goes back to the Homestead Act. You could homestead 160 acres and the Reclamation law was essentially passed by, in my opinion, to encourage people to be able to homestead lands. You had to be able to grow a crop and show that you were actually farming the land. Well you know you go out to Mesa and plant 160 acres of just about anything if you don't water it, it won't grow. And so the Reclamation Act was really passed to construct

irrigation works to allow farms to continue to develop under the homestead laws, that's my interpretation of it. And as a result of that, there was included in there this 160-acre limitation. In other words, the ownership limitation – it was never enforced to my knowledge or attempted to be enforced until the CAP started being built. Because there are irrigation districts all over the southwest that have violated for years and years and nobody said anything. There were groups such as the Sierra Club and others, basically environmental groups, who struck on this law and began to file lawsuits all over the southwest to get the government to enforce this. Now I really don't know what the total outcome of all of it was, but with all of that going on the McMicken people decided they just didn't want to get involved in that so they backed out.

The other districts, Harquahala hired somebody else after we had done some of the reports for them that actually did their design out there. We did the designs for Queen Creek, Chandler Heights, and San Tan Irrigations Districts. And in their case, they didn't have an integrated irrigation system at the time. Their group, the San Tan did and Chandler Heights did, they were relatively small districts but the biggest one Queen Creek was, up until that time was primarily a power-buying district. They bought electric power so their farmers could have cheap power to pump water with. So we had to come up with a system to deliver water you know to the farms and we met with the Board, you know the Board Members several times to come with criteria and they came up with a criteria they were willing to accept integrated individual farms that existed. And then we, we told them in the late 70's I believe it was because it was becoming obvious by then that agricultural no longer had a priority on the water. We told the district, if you're building this system to try and justify it strictly as an agricultural system we think it's a mistake. Because we don't think you will ever be able to pay for it. We think if you build a system so that you can get municipal and industrial water into the Queen Creek area, it's pretty obvious to us that sometime that whole area will become urbanized and they will need the water one way or another. And your system that you're building will provide a way to get it to some places. Based on that and some other cost factors that we looked at, we decided to put the entire thing underground in pipelines. That actually worked out pretty well because . . . I don't know if they've actually hooked any of them up to a water treatment plant yet but they could in the future. And then as the areas have been sub-divided, it has reduced the risk factor of people drowning in the ditches because they go swimming and stuff like that. As you get more urbanization, it's you know, there is a real serious hazard of having an open ditch. The other thing that worked out nicely was the maintenance is so much lower on a pipe system because you don't have to clean tumbleweeds and trash out of it. For years, they've run the 24 or 25,000-acre Irrigation District with a manager and a part time helper. And the District next door, New Magma that elected to put in open ditches they had last time I heard which was several years ago, they had five or six people that spent full time cleaning ditches. So they saved a little on the installation costs but I think they're paying it back in the long run with maintenance. So anyway, but again our real objective there was we told them we

think it's all going to be city and you're going to have to put it underground then anyway. And each one of you when you go to sell to a sub-divider, I think it'll damage the value of your property if there's an open ditch on it. And they agreed, so that's what we did.

Q. Didn't your father also get involved with the Gila River Indian Community?

A. Yes and we still are.

Q. Tell me about that.

A. We first got involved with the Gila River Indian Community in the late 60's. The attorney for the Gila Tribe then was a fellow by the name of Z. Simpson Cox. And Simpson died, I don't know he died ten or twelve years ago, but for years he had represented the Gila River Indian Community when my father was the District Engineer for the San Carlos Irrigation and Drainage District and they fought constantly.

Q. What did they fight about?

A. Who got their water first, things like that. Because the San Carlos Project is essentially half Indian and half non-Indian, in other words half of the water roughly was supposed to go on to the Gila River Indian Reservation and the other half was supposed to go into the Irrigation District. And they were always fighting about priorities and who ought to get the water first and this kind of thing. And finally in the late 60's, Simpson approached my father and said, "Look we have these Indian claim cases going on and you've been such a good advocate for your clients when you used to represent them, but we'd like you to represent us as our technical expert in some of these Indian claim cases regarding water rights and other things." And that's how we first got involved with them. And off and on we worked on different projects with them over the years. I did a feasibility report for the Gila River farms to line part of the Gila River farms back in the 60's when I did it. And that system actually got built. It was designed by someone else but they used our feasibility report. And then we've done different things relating to water rights for the Tribe over the years. My brother currently is heavily involved in the – with the office of water rights at the Gila River Indian Community and as you probably now they're currently involved in some negotiations for a settlement of Indian water rights along with a whole bunch of other entities. So we're still involved.

Q. So you're involved more as a technical consultant?

A. Yes, we're engineers not lawyers.

Q. Sounds like you get involved in a lot of court cases even as engineers.

A. Yes, we do. We do. I was going to say the nice thing about water court cases, we used to joke they put me through high school, college, and beyond. I now have one of my sons that actively works with my brother on the water rights stuff. The way it looks, it may carry him to retirement you never know.

Q. Three generations.

A. Yes.

Q. Did you stay involved in other ways with the Central Arizona Project?

A. We did. During the construction of the irrigation districts, we were involved in it because at the time that their things were being constructed, the CAP - the construction of it was beginning to wind down. And the project was in the process of trying to make it work. I mean when you build something that big, the first time you push the button not everything works they way it should. And so, you know, I remember one time during construction, we had this huge, the contractor had this huge ditch opened up near the CAP and then all of the sudden without warning, the gate opened on the canal and this huge amount of water started pouring into the ditch. And cell phones weren't around yet so we drove like crazy to the nearest store where we could get a phone and call somebody to shut it off. Because they were working with a remote control system which at the time they built it, it was pretty cutting edge and kind of experimental and didn't work quite right yet. So I don't know what happened to trip it open, but there was nobody around it just opened all by itself.

Anyway, we were also involved in some of the discussions and negotiations on behalf of the irrigation district. And also on behalf of, I've forgotten, but the Town of Payson and the City of Prescott were involved in some negotiations for water right transfers and I don't know if they ever completed those or not. I don't think they did. But the concept was that they'd take water out of streams that were contributory to the Salt River system that the Salt River water users, land owners had a right to the water in those streams. The idea was okay, we'll buy you some CAP water at Phoenix, if you let us divert some water from your stream up near where we live and that way we'll both have water. One of the provisions of the Act was that it gave the exchanges of that type the first priority in the project so that if a city had come to rely on an exchange contract, you know to take water out of the Verde River say. As long as there was water available in the CAP for any purpose that exchange water would be delivered in this case to the

Salt River Project and the city would be able to continue diverting the water they needed to run the city. Anyway, I don't know how much of those exchanges ever got completed but we worked with them for several years on some of those.

And the problems you run in to on those exchange agreements usually relates to conceptually everybody's okay with it when you get into the devils and details, you know whose going to pay for what and how much is it going to cost. Anyway. . . .

- Q. Did you ever see a conflict between you representing irrigation districts and then also working with the CAP on things?
- A. No, because we never worked for them both at the same time that I recall. Now we did work for different clients who were competing for the same water at various times. But we always made it clear to all the clients concerned that that's what we were doing. And if they didn't want us to, we would make a choice. No one ever asked us to make the choice.

- Q. What do you see as the biggest accomplishment of the CAP actually getting built in the long term?
- A. I think the biggest accomplishment long term is going to be to allow for Phoenix to survive and probably Tucson. I remember my father reminiscing about his early days in the Bureau of Reclamation, going down to talk on behalf of the Bureau of Reclamation to the City Council at Tucson about the joys of the Central Arizona Project and why they would want to buy water from there. And I remember him telling me that finally after he had made his presentation, the mayor got up, sometime in the '40s, and said, "Well that's all very interesting Mr. Gookin but we have water experts that have assured us that we have plenty of water to last for at least 10 years." And I laughed and he said, "The sad part is, he was serious," that he thought their problems were solved.

I think the project was originally intended to be an irrigation project there is just no doubt about it in all the reading of all the literature. After it was approved, after construction began, it was converted to a municipal project. In a way, it's too bad because in terms of the amount of money that the state has to repay, it cost a lot more money to do it that way then if they had left it agricultural until it was paid off. But I think long term; the benefits are that Phoenix and Tucson will be able to continue to exist without looking like some of the places where they truck water in. It's interesting to me that we have less water shortages here at least apparent to the average home owner, then you do in a lot of places in California where they appear to have fog everyday and dew on the porch and stuff like that. But there's no water in the pipe out front. I think its helped firm up the supply for a long time. When we finally do have a water shortage in the

Colorado River and we have to cut back and I'm sure that will happen, I'm optimistic enough to think we'll still get some water through it. Between that and the water that's available particularly for the Phoenix area out of the Salt River Project, because a lot of the Salt River Project has already been converted to municipal and industrial. And I think as time goes by and the need prevails one way or another, the remaining water rights will be transferred to municipal use. I just hope that the people who own them get paid for them as opposed to have them stolen from them. But because I think they're a very valuable right that adds value to a land sale. Although, most people a lot of people in the Phoenix area don't understand that the house they live in has those rights. A great many of the people in the Phoenix, particularly in the downtown area, do have rights in the Salt River Project and the project delivers water to them through the Phoenix system. I think that's really the biggest long-term benefit of the project. Without it, I really don't know what would've happened with all of the people who continue to pour in the valley. There seems to be no practical way to stop them. Without this water to firm up what we've got, I don't think it would've worked. I don't know what would've happened but I don't like to think about it.

- Q. Do you think your father and the other men that were making these plans in the 40's, the 50's and 60's ever envisioned Arizona looking like it does today?
- A. Not at all, as a matter fact in a lot respects my father was disappointed in the CAP because of some of the compromises that had to be made and some of the other things that went on. I know he commented shortly before he died he said, "You know when I was the State Water Engineer, I was half time and we had three employees," and he said "now they got hundreds of them down there at the Water Commission and Arizona has less water than it did when we were running it with three people." And I think there's a certain amount of truth to that; as a matter of fact I know it's true. He was disappointed because of the some of the political deals that had to be made to get as far as it got with the CAP. I don't really think he ever got over the fact that it was originally intended for agricultural. He just, he was always disappointed that the farmers essentially got cut out. But in his later years, he did acknowledge that without it he didn't know how Phoenix would've survived. Quite frankly, when I was child if you told me what Phoenix was going to look like, I would've said your crazy. But uh, a lot different.
- Q. Let's see we were kind of talking about the changes, your dad you said he was disappointed about how the CAP actually – he lived to see it finished.
- A. Oh yes, oh yes very much so. I mean he died in 1994 so and he did get to go, I mean he was invited to several of the ribbon cuttings and grand openings as one of the people who had been involved in, you know, in the history of it. And but I think I know he was disappointed because of some of the compromises that were made and I don't remember the specifics of the compromises but

essentially they wound up with less water being available. And again, he had always envisioned it as something that was going to come along and save the farmers. Because in his lifetime what was happening was there were a bunch of farmers around Arizona that were relying on groundwater wells. And the groundwater was dropping very fast and electricity was becoming more expensive. And it was obvious that they were going to run out of water and he was concerned that if they ran out of water, well you know that was a way of life that was just gone. And as a practical matter, a lot of the farms did just go out of business. And these big black dust storms that we get down around Casa Grande in recent times, my recollection as a child is they didn't happen then. I think it's a result of abandoned farms that, just because you quit – a deserted farm is not desert. It's a deserted farm. And there's no desert varnish on the surface to hold it together and no desert plants that had been growing there off and on for a few millions years to kind of keep the whole thing tied down. So when you get a wind storm, you just get these horrible black clouds of dirt. But anyway . . .

- Q. They are using some of the CAP water though now to recharge the groundwater. Was that something that your dad had thought of?
- A. Yes, there was quite a bit of thought about that. As a matter of fact, one summer on the way to San Francisco we stopped off in California for an extra couple of days to look at the recharge projects that MWD had, was doing at the time. At least the portions that I saw, their procedure was completely different than what we envisioned here. Instead of taking the water in a ditch or a pipe to individual users and delivering it through a meter to a water treatment plant, they took at least large portions of it and they had open fields where they would pour the water out on the ground. And apparently the soil type was such that it would sink through soil rather quickly, rather sandy and gravelly. And they would run water out on the ground and let it recharge the groundwater and then everybody who had a water well, within some distance I don't know what it was, but it was considered to be recharged by this recharge project, paid a special tax that amounted to a, it would be the same as a water bill. If you were delivering it directly through the pipe, you would pay a tax that was used to offset the cost of pumping the water from the Colorado River over by Parker up across the mountains, and taken it over and then operating this recharge field. And which was a different concept, that concept was considered during some of the design phases of CAP. I know I mean it was discussed a lot. And actually the City of Scottsdale is currently doing that to a limited extent. They have something they call a water campus, which is a nice word for sewer treatment plant up near Bell Road and Pima Road. And that's also where they have a water treatment plant for CAP water. And I know at least at times in the past, I don't know if they're still doing it, they take treated effluent and they'll recharge it into the groundwater there. And I know at least at times, they would buy available CAP water and recharge it into groundwater and then its pumped back out over near Scottsdale

Road because it's thought that by filtering through that much natural material, it's biologically clean by the time it gets there. And they put it back into the domestic drinking water system of the city. So there is some of that going on and I believe there's some of the irrigation districts, several irrigation districts that at least briefly did have some water, did some recharge by running water on to the fields when there was excess water available through the CAP. I think they got it real cheap rate to encourage them to do it. That isn't, with the exception of Scottsdale there may be others that are doing similar things with the water, I don't know. I don't know how Tucson's handling their water. Although I think they take it directly out of the aqueduct and then treat it and put it in their system but I don't know that for sure.

Q. The other thing that some people are not happy about and hadn't planned on was how much of the CAP water is going to be going to the Indians?

A. Oh yeah, of course I don't know how much is actually really going to get there. There are a lot of people unhappy about it but so far they haven't got that much. And of course their position is, the Indians position is, hey we had the water first, you took it all away from us. This is not new water to us, this is payback. And how that's going to be resolved I don't know. These negotiations that my brother is currently involved in, I believe he intended to address that through construction of various types of projects and in other ways. And of course, as so often as the case with negotiations when there's a lot of attorneys involved some of whom do not understand physical realities, you see some interesting things in some of these settlements. Even when you read them at the time they don't make sense and when you read them 40 years later they make even less sense. And I suspect they'll be a lot of that in this settlement, if it actually happens.

Q. I interviewed Mary Thomas a couple years ago and she told me then that the casinos are nice and the incomes from them are nice but that's nothing compared to the importance of the water rights.

A. Yes it is because in my adult lifetime on the Gila River Reservation when I first went down there in the 60's, there was an area called the "New York Thicket" which is along the Gila River kind of towards the west end of the reservation which would be kind of like south of Laveen and then heading back towards, maybe half way to Florence. And that area was just solid mesquite trees that were living off the high groundwater table following the Gila River. There had been enough of the river diverted from above and the water has drained out off the reservation. The last time I flew over, I would say that eighty or ninety percent of the "New York Thicket" has died. And I know that's, a lot of the people that live down there find that to be distressing. In the same fashion that a lot of the people up around Show Low now are finding it distressing that they got

this thing called a bark beetle killing all the pine trees up there. Basically they lived in the middle of a forest and now they're living in a dead forest.

Q. I want to mention to that the mesquite trees around Casa Grande _____ (1:10:55) are all gone.

A. Same problem. The mesquite is a marvelous tree. They will live in the desert or they will live with their . . . they love to have their roots in the groundwater. They're a phreatophyte. If they can get to groundwater that way they grow at fantastic rates. And the problem, what you seem to run into is once it becomes a phreatophyte and it's used to having all that water all the time, if the water table drops below the root zone under the tree, they seem to die. Where as if it's a mesquite tree that started without the groundwater, it'll never get as big but they seem to live a long time. They don't die, interesting phenomenon.

Q. Desert plants are fascinating.

A. Yes they are. The "New York Thicket" was, they used to use that extensively for cattle feed because the mesquite beans, I'm told, they're very good cattle feed and they would run cattle through there at the time of year there were a lot of beans on the trees and they would go through there and eat cattle, I mean the cattle would eat the beans.

Manny: I think it even started with the Native Americans themselves would eat those beans.

A. Well, yes they do eat the beans but I mean they really had a commercial value because the people that were running the cattle in there were usually, in my experience, they were not Indians. They were non-Indians who were renting grazing rights at certain times of the year. And you know, obviously that's gone. They also used to in large areas down there, they used to be able to sell bird hunting permits because there were doves all over the place down there living in the trees and living off the little green growy (sic) things that are in the trees. And I don't know who actually collected the money but I know there was a lot of money collected for I guess you'd call it a hunting license or permit to go down and hunt in that area. Well, it's now kind of dead so I don't imagine there's much interest in hunting down there.

Q. I know that the tribe was looking, that the Gila River Farm had mentioned in the rise of farming they were looking to put some water down there and try to get that "New York Thicket" back.

A. That's one of the things they've considered, there's a whole lot of things that they've looked at. And I know there has been some discussion about trying to revive the "New York Thicket". I don't know to what extent they're going to be able to that, a lot of it will depend on how much water they get.

Q. How do you see the challenges for Arizona today with water?

A. Well, I think my father summed it up best. He said, "We're not running out of water, we're running out of cheap water." And I think what you're going to see are water bills raising. All the ads that people run telling you to conserve water are very nice. When I look at my water bill every month and open it up, it may be fifty or sixty bucks but most of it's to collect the trash and pay for the sewer and other things, the water is ten bucks. Hey, water is ten bucks a month don't tell me it's scarce, can't be it's too cheap. I think we'll all live long enough to see water bills that rival our electrical bills. And that's the American way, that's the only way that people are really going to respond to saving water is if it means saving some serious money. And right now, water - actually water here is cheaper than it is - my in-laws live in California and our water bill here, the water portion of it is just a fraction of what their water bill is. And we reserve more water than they do. Our water here is still cheap. I think the challenge is going to be to find a way to raise the price to the point to encourage people to conserve. And you're already starting to see some of that. Some of the cities are going to what they call an inverted rate, where you get some minimal amount of water at a cheap rate so poor people or old people living on a fixed income aren't totally ravished by their water bill. And if you decide you want swimming pools and water slides in the backyard and fountains and a half an acre of grass that you water twice a day, well once you use a certain amount of water then the rate starts to go up. I think you're just going to see more and more of that kind of thing that eventually will convince the bulk of the people - hey, I guess maybe I need to change the way I live a little bit. Let me explain that, I think that you'll have very limited success with restrictions where people just tell you, you got to use less water. I have confidence in the American public that over the long term they can get around almost any regulation you pass if they don't believe in it. And we've got a lot of history to prove that. And I think that's true with water but I think if it just gets to the point where people realized hey this is expensive, it'll take care of itself at least in the foreseeable future.

Q. One thing I like to ask people is, do you have any advice for young people that are starting their lives and choosing careers what they should be looking at?

A. Well, the advice I gave my sons was get a degree in engineering or accounting because if your chosen profession of being a rock star doesn't work out, you could probably get a job. And both of my boys are now practicing engineers and have a job so from my perspective that worked out pretty well. I guess my

advice would be pick something that you can make a living at, get whatever training or licensing you need to do that and then follow your dreams. And if they don't work out, then go back to whatever you can make a living at.

Q. They're rock stars in your family?

A. No, they both have their own homes and live at home and don't borrow money from mom and dad. Isn't that wonderful.