About the Colorado Riverbed Case
by John Weisheit

The Colorado Riverbed Case, sometimes known simply as "the Riverbed Case," grew out of a desire by the State of Utah to determine, legally, who owned the bed of the Colorado River. The State of Utah wished to develop the bed of the river by drilling for oil and for other economic purposes. First, however, it had to be determined who owned the bed of the river: The State of Utah or the United States. This hinged on whether the Colorado could be declared a navigable or a non-navigable river. The plaintiff was the United States, and the defendant was the State of Utah. The court, presided over by Charles Warren, a Special master of the U.S. Supreme Court, began acquiring testimony in October 1929. The final decree was issued in 1931, giving possession of the riverbed to the United States in non-navigable sections of the Colorado River Basin in Utah. Possession of the riverbed in navigable sections of the basin was given to the State of Utah.

The decision of the court was dependent on the testimony of individuals who had personal experience with the Colorado River in Utah. Most of the witnesses were river runners, both professional and recreational. Much of the testimony came from scientists and engineers who worked for the United States Geological Survey or the Reclamation Service (later the Bureau of Reclamation). Other testimony came from petroleum geologists and placer miners. Persons of notable historic importance include Frederick Dellenbaugh, a member of the second Powell expedition; Franklin Nims, photographer of the Brown-Stanton expedition; various members of the James Best expedition; photographer Ellsworth Kolb; members of the Clyde Eddy expeditions; and members of the Pathe-Bray film expedition, to name a few. A history of powered boats, both gasoline and steam driven, is also included in the testimony. It could be said that the Colorado Riverbed Case is the largest known oral history of the men and women who utilized the Colorado River basin in Utah prior to 1929.

Paper documents of the Colorado Riverbed Case appear to be very rare and are known to be archived in institutions such as the Utah State Historical Society and the Utah State Archives. An abridged version of the testimony was published at one time, by a non-government printing company. It would appear that this abridged narrative, in two volumes, is quite scarce and unavailable to the general public.

In 1997, John Weisheit of Moab, Utah, purchased a complete set of the microfilm of the testimony in the Riverbed Case from the Utah State Archives and donated the film to the Special Collections Department of the J. Willard Marriott Library, University of Utah. In the ensuing two years, Mr. Weisheit has visited the library and been able to print many sections of the film using a reader/printer in the building. His labor was voluntary and the library covered the expense of printing. In 1999 the printing was completed by the staff of the Manuscripts Division. Mr. Weisheit has been able to scan and digitize some of these printouts using optical scanning software and his personal computer. Many of these excerpts of testimony have been published in the journal of the Colorado Plateau River Guides Association, The Confluence.

About the Digitization Process

Approximately 2,125 pages of the Colorado Riverbed Case were digitized from microfilm records by iArchives of Orem, Utah. The resulting images were then run through OCR software to create searchable text. iArchives returned 8-bit, grayscale TIFF images measuring 3000 x 4600 pixels and 13 MB in size, along with plain text files created from the OCR software. The images were resized, compressed and imported into the CONTENTdm digital collections database by the Digital Technologies division staff. The text files, along with other metadata, were added, making the collection fully text-searchable. XML documents were created, dividing the collection into seven sections to more closely mirror the format and organization of the original Colorado Riverbed Case records.