

Water in Kansas  
SPECIAL ISSUE

# On the Rim of the Desert's Heart: Kansas and Water

## INTRODUCTION

by James E. Sherow

**M**ayor George G. Schnellbacher was angry. From his vantage in Topeka, Kansas, Walter Prescott Webb's article "The American West, Perpetual Mirage" in the May 1957 issue of *Harper's Magazine* made little sense.<sup>1</sup> The West, Webb clearly stated, was and is a distinct place at whose heart lies a desert. In the heart itself were nine states, and to the west and

east of these were the "desert-rim" states, one of which was Kansas. A "fire of low intensity" spread from the heart to shape the character and history of both the desert and rim states, and to deny this defining force was to live in a fantasy. As Webb phrased it, "puny men" had failed to conquer the desert West and its rim, and if they were wise they would follow the path urged by John Wesley Powell and adapt themselves and their institutions to aridity.

Schnellbacher dashed off a response to Webb's piece, and the editors of *Harper's* published it, along with many other similar replies to Webb's article. Encountering Schnellbacher today, readers can feel his

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James E. Sherow is a professor of history at Kansas State University. He has studied extensively the history of water usage in Kansas and aspects of human interaction with the natural environment. Among his published works is his 1990 book *Watering the Valley: Development Along the High Plains Arkansas River, 1870-1950*.

1. Walter Prescott Webb, "The American West, Perpetual Mirage," *Harper's Magazine* 214 (May 1957): 25-31.



Cattle on a Finney County ranch quench their thirsts from a pond filled from groundwater sources. Sustaining agriculture and livestock is only one of many important issues surrounding Kansas and water.

hackles raised and his pen gripped tightly as he refuted Webb's contentions. Water, the mayor agreed with Webb, was the "greatest natural resource" of the West, but the region had plenty if developed wisely. Schnellbacher had faith in the conquest of the West, and he believed humans had attained the fullest aspirations of progress. Schnellbacher retorted with a litany of the region's natural resources, as if Webb's labeling parts of the West subhumid, semiarid, or arid were to cast dispersions on the wealth of the land.<sup>2</sup>

Schnellbacher wrote at a heady time in Kansas history. In 1945 Kansans had adopted the prior ap-

propriation doctrine, which on the surface might appear an adaptation to a subhumid and semiarid environment, an innovation Webb would have approved. In his *Great Plains*, after all, he heralded the prior appropriation doctrine as one of the institutional adaptations westerners had made to aridity.<sup>3</sup> The act seemed to unite western and eastern Kansans in common enterprise and gave people from both areas a

2. George G. Schnellbacher, "Letters," *Harper's Magazine* 214 (July 1957): 4.

3. Walter Prescott Webb, *The Great Plains* (New York: Grosset and Dunlap, 1931), 431-52. Generally, the prior appropriation doctrine declares water to be the public property of the state and recognizes the right of a person to use some portion of a stream flow. The state usually establishes a hierarchy of beneficial water uses, and a water user receives a right granted either through a state executive office or the courts. The right is dated, and this date determines when a person receives water in relation to other water users of the same scour, "first in time, first in right."

mutually agreed upon institutional base on which they could develop water resources. The former riparian doctrine, historically favored by eastern Kansans, had always chafed western irrigators, who felt the desert's furnace more keenly than did those to the east.<sup>4</sup> By 1957 Kansans had begun putting water to evermore economic uses through pump irrigation and in federal construction of reservoirs for urban growth and flood control. Corn fields around Garden City, flood control for Kansas City, urban reservoirs for Wichita—all seemed to bear witnesses to advancements in water development technologies and changes in regulatory institutions. For Schnellbacher, all of this somehow made for a successful conquest of the West, or at least of Kansas. No need to heed Webb's warnings.

**B**ut can water development solely in economic production be equated with the dominion of the West? And what do the experiences of Kansans have to say on this score? The state's current water situation sounds some disconcerting chords. In 1994 the Council of State Governments listed Kansas as last among all fifty states in a water pollution index. All scholars who have ever studied the pumping of the Ogallala aquifer agree that its days are numbered. City planners and developers have called for the construction of a pipeline from Milford Reservoir north of Junction City to supply the growing, thirsty urban areas centered around Wichita and Salina. People from Manhattan to Kansas City who fear for their own water supplies have reacted strongly to this proposal. Hays residents have incorporated some of the most stringent water use codes in the state as they deal with scarce and scant resources. Atrazine, nitrate, salt intrusions, and pollution from

4. The riparian doctrine assures the owner of a stream bank the use of the flow passing by or through the land. Originating in common law, this doctrine guarantees a riparian owner the right to stream flow undiminished in quantity and unaffected in quality regardless of the uses of this same water by any other upstream riparian owner. At the same time a riparian owner is required to return the same water to the stream materially undiminished, generally ruling out consumptive uses of water.

ranching and feedlots are seeping into the groundwater throughout the state. In 1986 one Kansas report noted that more than seven hundred miles of streams in the western portion of the state had nonexistent flows. At times in areas west of Hutchinson, the only accountable flow to portions of the Arkansas River is sewage effluent.

Accomplishments and environmental problems in water development are historical. As Kansans we must realize that our difficulties did not suddenly appear but are the result of forces set loose in the past. People before us had visions and plans, and we have inherited the results, both good and bad. Moreover, as we deal with contemporary realities of water development we set the stage for our posterity. It seems reasonable to propose that we need to understand the history of water in this state if we are ever to deal effectively with the forces of the past and set into motion nondestructive forces to shape the future.

**T**his issue of *Kansas History* launches us on our way toward a better understanding of water development in this state, and in the West. In the following articles historians address issues of technological development, problems in sewage effluent and river pollution, difficulties in establishing viable surface irrigation in western Kansas, the decision to replace the riparian doctrine with prior appropriation in 1945, and how the water use creates landscapes or an environment molded by human culture.

In the western portion of the state, the land closest to the desert's heart, Kansans have struggled most mightily to develop water resources. T. Lindsay Baker, the foremost historical expert on windmills, seeks to answer why Kansans avidly employed these machines so early in the state's history. The answers lie in understanding the operation and manufacturing of the machines. Baker also sees both positive social effects and unhealthy environmental consequences in the use of these machines.

As the water history of Kansas illustrates, reconciling the water interests in a rim never has been easy for any state legislature. Robert Irvine analyzes

Kansans's values about water and how they incorporated these into law. As the legal historian Kermit Hall noted, law becomes a mirror reflecting the values and goals of the society devising it. Law also shapes the actions of society, and in this manner it guides how people interact with their environment. Consequently law has real, tangible effects on the water sources in any given environment, and part of Irvine's work analyzes how the Kansas Water Act of 1945 shaped the state's waterscape. Relative to this, Anne Marvin details the development of flood irrigation around Garden City, Kansas, and sees much lacking in the attempt to conquer the desert. Unquestioned faith in technology or irrigation and a single-minded pursuit of economic gain resulted in a difficult time for the people who initially settled the area.

On the eastern part of the rim, where water is more abundant, the desert's heat is felt less keenly. Correspondingly, water problems of a different nature emerge. William Dobak considers the appalling pollution of the Kansas River prior to 1900 and how conditions shaped social conflict and environmental reform. Cultural perceptions allowed Kansans to treat the Kansas River as an open sewer, and the mix

of culture and river led to some serious problems for human habitation. Dennis Domer's piece on the historical waterscape of Willow Springs asks an important question: how did small-scale, locally controlled water resources become a centralized water system managed by engineers and bureaucrats who do not live in the area? Beginning with the Kansa Indians, he explores the various "cultural sediments" that gave form to successive waterscapes.

Walter Prescott Webb saw "normal people trying to create and maintain a normal civilization in an abnormal land." The historians in this issue of *Kansas History* have identified some of the abnormal traits of Kansans and call upon us to evaluate our history and where it is taking us. Webb says the real history of the West, which includes Kansas, is not in its "bizarre" features—the cowboys, the free soilers battling abolitionists, the John Brinkleys, and such. Rather, westerners and Kansans will find the essence of their history in their historical relationship to the desert. I suppose the question for us is, has our history laid an adequate foundation for us to remain on the rim? KH