

BEAR RIVER COMMISSION

Minutes of First Meeting, held in Governor's Board Room, State Capitol Building,
Salt Lake City, on April 5, 1958 - 10:00 a.m.

The initial meeting of the Bear River Commission was held in the Governor's Board Room, State Capitol Building, Salt Lake City, Utah, on April 5, 1958. Mr. Fred M. Cooper, by virtue of the action of the Bear River Compact Commission at its final meeting held February 20, 1958, presided.

Commissioners present:

IDAHO:

Fred M. Cooper, Grace
Melvin Lauridsen, Montpelier
Mark R. Kulp, Boise

WYOMING:

Earl Lloyd, Cheyenne
J. W. Myers, Evanston

UTAH:

Jay R. Bingham, Bountiful
A. V. Smoot, Corinne
L. B. Johnson, Randolph

Commissioners absent:

WYOMING:

S. Reed Dayton

UNITED STATES:

(Appointment not made)

Others present:

F. M. Bell, Denver, Colorado
H. T. Person, Wyoming
Russell Stoker, Soda Springs, Idaho
Mr. Barker, Evanston, Wyoming
E. O. Larson, Salt Lake City, Utah
Orson A. Christensen, Brigham City, Utah
J. L. Weidmann, Honeyville, Utah
Ashley Boyle, Salt Lake City, Utah
Ford Scalley, Garland, Utah
Samuel Rex, Randolph, Utah

Others present: (Continued)

Elmer Thorum, Salt Lake City, Utah
Jerry Irvine, Salt Lake City, Utah
Wallace Jibson, Logan, Utah
Albert Harris, Logan, Utah
M. T. Wilson, Salt Lake City, Utah
Robert B. Porter, Salt Lake City, Utah
Wayne D. Criddle, Salt Lake City, Utah
James C. Busby, Salt Lake City, Utah
Ray H. Zenger, Salt Lake City, Utah

After a delay to await the arrival of the Commissioners Lloyd and Dayton from Wyoming, the Chairman called the meeting to order with Commissioner Myers representing the Wyoming delegation, at 10:20 a.m.

THE CHAIRMAN: We will call the meeting to order, and those of you designated by your respective states to act on this Bear River Commission will kindly come to the table.

The first order of business is presenting of credentials of those who have been appointed by the three Governors of the respective states to act as Bear River Commissioners.

Credentials were presented, and the names of the appointed Commissioners for each state were read by the Chairman, and were as follows:

UTAH - Jay R. Bingham, Bountiful
A. V. Smoot, Corrine
L. B. Johnson, Randolph

WYOMING - Earl Lloyd, Cheyenne
Reed Dayton, Cokeville
J. W. Myers, Evanston

IDAHO - Fred M. Cooper, Grace
Melvin Lauridsen, Montpelier
Mark R. Kulp, Boise

The letters of appointment were placed on file.

THE CHAIRMAN: Read a message received by telephone from Senator Bennett's Office regarding appointment of a Federal Chairman for the Bear River Commission. The message stated that the Assistant Secretary of the Interior had been contacted with regard to selection of a Federal Chairman,

and the matter is being given active consideration. They are now awaiting a report from the field - from the Geological Survey in particular - and also from the Bureau of Reclamation, making suggestions and recommendations. The message added that the Secretary of the Interior would be very happy to receive any recommendations the Bear River Group would care to make.

COM. BINGHAM: It would appear that we have no person officially designated as Federal Representative or Chairman. I move that Mr. Cooper continue as our temporary Chairman until we have an appointment from the Federal Government.

COM. JOHNSON: Seconded the motion.

Motion carried.

CHAIRMAN: Thank you for your confidence. Under the circumstances I will do the best I can until someone is appointed by the President.

At this time we have some guests that we would like to recognize, and we would like, especially, to recognize Mr. E. O. Larson who was Chairman of the Compact Commission for a number of years, and we would appreciate a few remarks from him.

MR. LARSON: I have attended every meeting for the last thirteen or fourteen years, of the Compact Commission, except the last meeting, and I did want to come here today. All the way through it was a pleasure to serve on the Commission and help out in any way I could. While it has taken years to get the Compact, it was certainly worthwhile. I think you have a job ahead of you, but the biggest job, probably, is done.

There is one thing I am sure has been called to your attention - that when the Compact was approved by the Congress, there were additions to it. I am sure you will read those Sections (2, 3 and 4) to the end, and specially Section 2, explaining the Government's role in the Commission in

the future. I think these are good additions and help clarify the Compact.

I am here now as a representative of the Bureau of Reclamation, and also as Chairman of the Pacific Southwest Interior Field Committee, where we cover the work of the seven Interior Agencies, and we will work with the Compact Commission in any way to facilitate further development of the Bear River.

THE CHAIRMAN: I would like to recognize Mr. Boyle, Mr. Weidmann, Jerry Irvine, Orson Christensen, Mr. Thorum, Mr. Russ Stoker, Division 5 Water Master from Idaho, Mr. Jibson, Mr. Wilson, and Mr. Harris. We are very grateful for your presence, and at this time I would like to recognize Mr. Bell of the U. S. Geological Survey.

MR. BELL: I am glad to see that the Compact was finally signed by the President and is effective. I would like to assure you of the cooperation of the Geological Survey in any way that might be possible under our rules of procedure. As Mr. Larson pointed out, Section 2, which has been added to the Legislation is a pretty strong directive to the agencies of the Federal Government to assist the work of this Commission, as much as they are able, and the Geological Survey expects to do its part.

THE CHAIRMAN: I will call on Mr. Bingham, Director of the Utah Water and Power Board, at this time to give us a brief resume of the prime objective of this Compact.

COM. BINGHAM: I am sure I am probably least qualified of anyone here to comment, but we have felt some of the responsibilities that face this group and have given this some thought, and for what help it may be at this time, I would like to comment on certain items.

We have here a document which is the culmination of several years of effort. I am sure that each of us who had any part in arriving at this

point has taken great satisfaction from it, and I am sure that everyone here now looks upon this as a new beginning to pull together and to bring about the desirable ends of the Compact.

There are a few items that might be proper to mention at this time, which relate directly to the Compact itself. I would like to read from the Compact, Part "A", of the first paragraph of Article I. "The major purposes of this Compact are to remove the causes of present and future controversy over the distribution and use of the waters of the Bear River; to provide for efficient use of water for multiple purposes; to permit additional development of the water resources of Bear River; and to promote interstate comity." I think along with that perhaps we might include Article VI of the Compact. That is a statement declaring that it is the policy of the states to encourage additional projects and development to make the maximum use of these resources. In those two Articles, in a broad and general way, we have the purposes and objectives of the Compact.

Article II deals with definitions. It provides that a quorum shall consist of a minimum of six members of the Commission with two representatives from each state. Officially, at the moment we do not have a quorum.

Another matter that may enter into discussions on budget matters later, and might be pertinent, is Item 14 of Article II, in which the term "biennium" is described. I would interpret that section to mean that - the effective date of the Compact being March 17, 1958 - the beginning of the biennium would be July 1, 1959; this being July 1 of the odd numbered year following March 17, 1958.

I think the immediate problems or objectives that face this group today would follow, roughly, three categories. It would appear that one of the prime purposes would be to perfect the organization, and in that

connection the Compact does, very specifically, give the Bear River Commission the authority to adopt by-laws and rules and regulations, keeping in mind that the Compact is a general statement of purposes, and it was intended that the Commission itself should set up rules and regulations covering its activities and any of its employees. This would appear to be one of the first responsibilities of the Commission.

I think there are certain individuals who should be designated, and their responsibilities fixed, depending upon the wishes of the Commission.

With regard to setting up the by-laws, it may be advisable to consider setting up committees, representing the states, to work out the details of such matters as by-laws and budget, with the thought that they could report back to a full meeting of the Commission when it might take final action on these matters. As a matter of guidance to the committees, or whoever is given the responsibility, I think it would be in order for the Commission to discuss these matters and give its views and preferences.

I think there were some items of unfinished business at the last meeting, with regard to a reply being sent from the Commission to the Geological Survey. There has been some correspondence between the Compact Commission, through Mr. Larson, and an answer from the Geological Survey. That matter has been before us for some time. I think it would be proper that some action be taken at this time.

The other matters that it might be desirable to discuss as a general group, would be some of the pertinent details of administration of the Compact.

That would be my suggestion as to procedure, and a general statement of purpose.

THE CHAIRMAN: Thank you. Probably we should take these matters up in their order. (At this point the Chairman requested that an attempt be

made to contact the members from Wyoming in order to ascertain when a quorum would be available.)

THE CHAIRMAN: What is your thinking with respect to appointing a committee to draft by-laws to guide this Commission?

COM. JOHNSON: The Attorney General's office of each state will be available to such committees, will it not? I move that one member of each State be appointed on a committee for the purpose of drafting the by-laws, in conjunction with their Attorneys General, so that we would be properly guided.

COM. BINGHAM: Seconded the Motion.

Motion passed.

THE CHAIRMAN: I appoint Mr. Kulp, Mr. Lloyd and Mr. Bingham, and ask these gentlemen to get a draft of the by-laws to be presented at the next Commission meeting.

MR. JOHNSON: I would like to suggest that the work of the Commission be carried on on the basis of committees. In my own experience the use of committees has been one of the most effective means of meeting the needs and desires of the water users.

COM. KULP: I would like to know how far you want to carry that. Do you suggest Executive Committees?

COM. JOHNSON: I would suggest that we designate committees just for information, but not Executive Committees. These would be temporary committees, whose responsibilities can be discharged after they have rendered their reports.

THE CHAIRMAN: Now we have before us the matter of replying to Mr. Nace's letter in connection with this cooperative agreement. It would probably be a good idea to make a reply to them in the very near future.

You will remember we asked for a cooperative agreement and we received a letter from Mr. Nace indicating that the U. S. Geological Survey was willing to cooperate with the Commission until such time as we could, possibly, get along without their assistance, but for the time being they would provide assistance to use on a cooperative arrangement. I would like to know the thinking of the Commission, and appoint a committee to make a reply to Mr. Nace's letter.

COM. JOHNSON: This is an excellent idea, unless we defer until an executive meeting of the full Commission, and let the Commission decide what it would like to do. We are appreciative of the offers of the Survey, but in lieu of a full Commission meeting, a committee such as suggested before would be entirely right.

COM. MYERS: We just suggested that we do our preliminary work by committees, and if we are going to follow this suggestion, we should take care of this matter of a reply by a committee, and bring it up to the next meeting. There are going to be a lot of things we can do right now, by committee, and save an extra Commission meeting.

COM. SMOOT: How quickly must we act on this matter? As I understand it we are rather handicapped until this thing is under way and started. Is that right?

THE CHAIRMAN: That is right. The time element is quite a consideration.

COM. BINGHAM: I wonder if it would not be informative to the Commission to ask Mr. Bell to comment on what is required by way of the Survey's prior arrangements for putting an agreement into effect, and thus get some idea of our time schedule.

MR. BELL: As I understand the situation now existing, the only

reason for any early action in this matter would be to provide for the work that must be done for the remainder of this fiscal year, and which will be paid for by the states without financial cooperation on the part of the Survey. In other words, the operation of the key gaging stations until July 1st under cooperative agreements with the several states, is provided for. The only question that faces us now is whether the states want to go along with the type of cooperation that has been suggested in Mr. Nace's letter, or whether they would perhaps prefer to appoint an Executive Officer of the Commission, or a River Master, perhaps. That is the main point you have to decide. If you decide to go along with the Geological Survey in the manner they have suggested, that can be arranged for the present, informally with each of the three participating states. I understand that at the last meeting estimates were made of how much money would be required for the balance of this fiscal year, and I understand that each state's share is available, so if you decide to go along in this manner, the details can be taken care of very simply through an extension of agreements now existing with the three participating states.

At the beginning of the next biennium this could be handled by individual agreements with the three states, as it has been in the past, or with a cooperative agreement directly with this Bear River Commission. It is a little simpler to have one, rather than three, but legally there are no difficulties.

THE CHAIRMAN: At present, as I understand it, it would be better to continue to extend the agreement as it now stands.

MR. BELL: Certainly, for the balance of this fiscal year it would be much better to continue the existing arrangement.

COM. KULP: How about the next fiscal year?

MR. BELL: That would be up to the Commission to decide how they will handle it.

COM. SMOOT: With this information, I would like to move that we go on record in favor of extending our agreements with the individual states up to the end of this fiscal year, and that a committee be appointed by the Chairman to study the problems connected with the next biennium, and make its report back to the Commission.

COM. BINGHAM: Seconded the Motion.

Motion passed.

THE CHAIRMAN: In accordance with the motion, I will appoint on this committee, Mr. Lauridsen from Idaho, Mr. Smoot from Utah, and Mr. Myers from Wyoming.

COM. BINGHAM: Maybe this suggestion comes a little late, but it would appear that working out the recommendations to the Commission on this cooperative agreement will involve the question of finances, and you might consider asking this same committee to handle the matter of the budget.

THE CHAIRMAN: Would it be agreeable to the members of this committee to give them this responsibility?

COM. SMOOT: We will need the help of our state representatives here, and I assume that these committees will have that help available.

THE CHAIRMAN: We will be glad to furnish whatever help you need.

THE CHAIRMAN: It has been suggested that there will be some operational problems and we should have someone appointed to study that sort of thing. What is the pleasure of the group on that?

COM. MYERS: I think that is an excellent idea. I would move that such a committee be appointed.

COM. KULP: Idaho is interested in the Central Division.

Russ Stoker is here and Mr. Jibson and I would like to hear from them to see if they have any problems that have not been discussed, or need discussion, in the Idaho Section of the Central Division. Do they keep enough records so that a quick appraisal can be obtained of the situation in Idaho at any time?

MR. JIBSON: I discussed that a few weeks ago with Mr. Stoker. As I recall, about one weekly visit is now made to the group of canals above Stewart Dam. I did discuss the day-to-day operation, and suggested that if we could get records about every third day - a record that would permit the computation of allocations to Idaho and Wyoming - I felt a workable program could be carried out. That would require Mr. Stoker doubling up on his visits to these canals if that could be arranged, so he can visit them at least twice a week.

COM. MYERS: On the Central Division, how is the water divided between Idaho and Wyoming?

MR. JIBSON: It is divided on a basis of irrigated acreage in the Central Division, with date of initiation each year beginning when the flow passing our Border gaging station drops to 350 c.f.s., or when the total divertible flow drops below 870 c.f.s. After that point, Wyoming will be limited to 43% of the divertible flow. The remaining 57% shall be available for Idaho.

At 11:30 a.m. Mr. Lloyd and Mr. Person from Wyoming arrived. Mr. Lloyd being one of the Bear River Commissioners from Wyoming, a quorum was now constituted. The third Commissioner from the State of Wyoming, Mr. S. Reed Dayton, was unable to attend owing to the fact that he had already made arrangements to attend a funeral, prior to the time that he was informed of his appointment to the Commission by the Governor of his state.

The Chairman informed the new arrivals of the action already taken by the Commission.

The Chairman then returned to the motion before the Commission that a committee be appointed to study operational problems of the Compact. The motion had been made by Commissioner Myers, but had not yet been seconded.

COM. JOHNSON: I second the motion.

Motion passed.

THE CHAIRMAN: I appoint Mr. Dayton from Wyoming, Mr. Johnson from Utah, and myself to serve on this committee.

THE CHAIRMAN: The Chair will entertain a motion to the effect that those actions taken so far in this meeting be ratified by the full Commission.

COM. BINGHAM: I so move.

COM. KULP: Seconded the motion.

Motion passed.

COM. JOHNSON: I wonder if this committee just appointed to study operational problems might confer with the Geological Survey, in its office or in the field, regarding the operation work, and if we might also ask for confidential information from the office of the Bureau of Reclamation.

THE CHAIRMAN: I think it probably would be well to ask Mr. Jibson to explain this, and go into this operational problem for the benefit of those concerned.

COM. BINGHAM: I suggest that Mr. Jibson make a comment relative to the situation regarding the water supply, and it would serve as a background to the other items he would discuss.

MR. JIBSON: I have not seen the official report from the Soil Conservation Service on the April 1st forecast but I have read the newspaper accounts and from what I have gathered, we can expect well above normal flow in this area, principally out of Smiths Fork. I think Mr. Wilson mentioned 125% above normal water content above Evanston from the main stem of the Bear

River. I do not know just what percentage they are forecasting now. The picture is considerably better as of April 1st than as of March 1st.

I have some material prepared on a day-to-day operational program which was touched briefly in our last meeting.

(Mr. Wilson distributed the material to all present. The first three pages deal with Direct Flow Operational Details, and the last two pages were primarily a summary of canal headings as the Survey found them in 1955 when an inspection was made of all canals in Wyoming and Utah above Bear Lake.)

At this point Governor George D. Clyde joined the meeting.

THE CHAIRMAN: Gentlemen, we have with us the Governor of the State of Utah.

GOVERNOR CLYDE: Gentlemen, needless to say I still have a great interest in this organization and when Jay told me you were meeting I asked if he would let me come in and extend to you my personal greetings as Governor of Utah, and to commend you men for a job well done - an effort which has taken years. I cannot remember when we were not talking about this Compact. It is a job well done, well conceived, and, I think, will point the way to make possible the full and complete development of this great resource. So, gentlemen, I want to wish you well in the job you have ahead of you, and I want you to know that we in the State of Utah stand ready at all times to work with you in implementing and carrying out the intent and the authority of this great Compact.

I think we are headed for a great future here in the West, but we have some fights ahead of us - States Rights is one of the greatest. That is, I think, of greater importance than any issue that faces us today. You know the Bill that is ready now for the President's signature permitting two agencies of Government to "thumb their noses" at the states as far as it

relates to the rights of use of water. I think we must continue to fight to retain our heritage and to enable the development of these resources to be carried out in the interests of the people. In any event, regardless of what happens, we must go ahead, and we have a lot of developments on the Bear River that can, and should, and will be done. So, I wish you well in your efforts and your deliberations. I am thrilled that this Compact is now a fact, and that we are ready and able to go ahead.

MR. JIBSON: (Resumed reading from the material he had prepared and distributed in connection with Direct Flow Operational Details in the Upper and Central Divisions of the Bear River.)

(Copies of this material are attached hereto and made a part of these Minutes.)

He then read from his report with regard to administration of the Central Division. The last paragraph was in regard to water-stage recorders which he stated were now used on the major diversion in Idaho and have been used on a few of the larger canals in Wyoming. He stated that recorders would be advantageous on several other diversion in the Wyoming section, and should be considered for future planning.

MR. JIBSON: To discuss that just a little further, we see that we are faced with two different problems in the two Divisions. In the Upper Division, which includes everything above Pixley Dam, we have extremely rapid runoff each year which from the time of the peak flow of the river lasts only a few weeks and irrigation beyond this time can only be very minor. We have an extremely long expanse of river - more than in the Central Division - in which today 64 diversions above Woodruff Narrows and about 15 below, are scattered throughout the entire Division. Many of these are extremely hard to reach during the wet season when the meadows are flooded. So, we have the

problem of either putting on, on a temporary basis, enough assistance in the Upper Section of Wyoming to cut this down from four or five days between determinations to maybe two or three. When supplies drop off as fast as they do, if we get five days behind in determining a Section allocation, the flow at such time may not be representative at all of what it was 5 days earlier. It would be my suggestion that perhaps past practice continue and in addition, if Wyoming is able to find an assistant or two to help their duly appointed watermaster - to act as a gage reader for him - we can probably get down to a two or three day period, so that in the average year, even though regulation does not extend very long, you might do a better job of regulating.

If you attempt to get by the Upper Division as in the past with one watermaster at Evanston to cover the entire river system, we will be involved in difficulties, and by the time we try to compute Section allocations, the supply will be so far down the ladder that very little good will be accomplished.

As we come down to the Central Division, we have about 39 canals, plus a few natural waterways along Smiths Fork which must be measured. They are more closely grouped and more accessible than in the Division above, and I think a single watermaster could get over that group of canals, doing some measuring and some regulating as he finds necessary, and still get reports in about every third day to enable Section allocations to be computed for the following two or three days. I believe Mr. Stoker has recorders on most of the Idaho canals above 25 c.f.s. We have moved in some temporary structures on a few of the larger diversions in the Wyoming Section of the Central Division. Recorders would be advantageous on some of the others. However, I do not foresee a lot of difficulty in the Central Division in carrying out current compliance with the Compact provisions.

We have had a few recorders available in the past. We do not know what the future situation will be on availability of recorders. The State of Utah owns recorders which are used in their canals, and we would like to see them continued. We have a few extra in the Geological Survey Office at Logan, and have a few from Logan now in use. As they are made available we feel they should be put on the more important diversions.

MR. JIBSON: Then referred to the latter part of his distributed report which he said concerned canal headings, and is an item directly related to what was being discussed.

He read sections of his report entitled "Diversion Works - Upper Division, and Central Division".

MR. JIBSON: I have said nothing in this brief summary about measuring devices. We have discussed that before. My own feeling is that a great deal more economical and efficient compliance with the Compact can be determined when we get measuring devices. It is a big problem and not a cheap one, and a great many canals cannot be adapted to measuring devices. Many of the larger canals in the Sections above Pixley Dam can be most economically measured with current meters, as we are doing today. In the Central Division we have the same situation occurring. The larger canals - the more important canals - are subject to moss growth, they are quite flat, and it seems the only feasible method is to secure current meter measurements during the season.

Another problem that we discussed in our last meeting is that of the date each year on which the diversion records should be started. My own feeling on the matter is that in the Upper Division (above Pixley Dam), the initiating date for carrying out complete coverage of canals should vary somewhat from season to season, depending on our water supply. We do have one or

two indirect methods of determining about when the total divertable flow reaches 1,250 c.f.s. so we can be reasonably sure within a week of when that point will be reached, prior to the time that it is reached. One method is to correlate from past records the total diversions in the Division with the supply at the Utah-Wyoming State Line added to the flow at Woodruff Narrows.

The other method - also based on past records - shows that from two to three weeks elapse after peak flow in the river until the divertable flow drops to 1,250 c.f.s. By working with both of these indirect methods I think we are in a good position to tell when records should start as each year progresses. In dry years the time would be extended throughout the entire irrigation season.

It is my suggestion that we use a variable date in the Upper Division if it can be worked into the program, rather than set a definite date.

The situation in the Central Division is a little different. Throughout the latter part of the season the Central Division would be under regulation as diversions hold up pretty well throughout the season. For this reason I think the Commission should set a definite date each year on which to start their diversion program, with provisions to move the date ahead in an extremely dry year. I have suggested somewhere between May 15 and June 1, of each year.

COM. LLOYD: How long would the watermaster in the Central Division be on steady employment?

MR. JIBSON: Starting somewhere between May 15 and June 1, his duties would carry throughout the season. I believe the Compact states October 15, would be the final date of regulation unless otherwise stated by the Commission. So he would be on for the balance of the season and would have to

make these twice or three-time weekly reports to a central office in order to find where he stood on compliance.

For a period of 18 years the average date was July 7, on which the flow at Border dropped below 350 c.f.s. I might state, in this connection, that the flow at Border always drops below 350 c.f.s. a few days prior to the time when the divertable flow drops to 870 c.f.s., which means the flow at Border would be the initiating criteria in every year.

THE CHAIRMAN: Any further questions? Thank you Mr. Jibson.

I would like Mr. Christensen to make a statement at this time.

MR. CHRISTENSEN: Mr. Chairman, gentlemen, I do have an official responsibility in connection with this job as you may know, as a member of the Utah State Water and Power Board and as Chairman of the Board's Committee, which has as its assignment, this particular matter of the Bear River Compact. Furthermore our relationship shall be in administration of the Compact with our Director, Mr. Bingham, and his staff, and our great desire is to see that the Compact is administered in such a way as will bring about the desired distribution of the Bear River water in the best way, and according to law and good principle. This matter has been of great pleasure and interest to me through the years that it has been under consideration.

I am in the favorable situation of knowing the problems having been born and reared in the lower part of the Bear River Valley. My responsibility is the administration of the river for the benefit of every individual or interest on the river, and I want to say that my association with the gentlemen from the three states who have been carefully considering and working towards the consummation of this Compact has been very enjoyable. These people are splendid fine people, with sincere and intense interest in coming to this solution now. My interest shall not be selfish at all by reason of

being on any part of the river, but it shall be by reason of my obligation to each and every interest on the river.

THE CHAIRMAN: Thank you Mr. Christensen. What is the pleasure of the Commission for the next meeting?

COM. BINGHAM: It might be desirable, while we have the people here, if we could meet during the lunch hour and during the afternoon, as necessary, as committees. I am wondering if it should not be designated by the Chair who should take the initiative in each of these committees. The committees should have some tentative date on which to make their reports, and from that we can propose a date for the next meeting.

COM. JOHNSON: Might it not make sense if we made some recommendation, or at least ask for the immediate appointment of a permanent Chairman for the United States? It is just possible that if we were up as an executive body we might make a recommendation or suggestion.

THE CHAIRMAN: What is the pleasure of the Commission on Mr. Johnson's suggestion?

COM. BINGHAM: The appointment would be a Presidential appointment, and it has been indicated that the Secretary of the Interior would welcome any suggestion, and I think that if we have a recommendation, it should go to the White House, with a copy to Secretary Seaton. It might be proper for the Commissioners to go into Executive Session to consider that matter.

THE CHAIRMAN: I would suggest that we meet here after lunch and hold short committee meetings, and probably at that time we can make a recommendation.

The meeting reconvened after lunch at 1:40 p.m.

THE CHAIRMAN: Immediately before lunch there was some discussion concerning recommendations that may come from this Commission for a Chairman

to represent the Federal Government. We will entertain any suggestion that the Commission has in connection with a recommendation for the appointment.

COM. JOHNSON: We understand that Mr. E. O. Larson could be available. He did such a wonderful service over all these years.

COM. SMOOT: For my benefit, could someone go over this and reveal the possibilities we have.

COM. BINGHAM: As Mr. Kulp and Mr. Lloyd know, we have been through this on the Columbia. We found that appointment of these Federal representatives on Compacts is handled by a branch of the Department of Interior, in the main. In our situation, it would appear most logical that the choice would be between the Bureau of Reclamation and the Geological Survey. There has been a noticeable tendency to appoint men who have just reached the retirement age, and have carried on as Federal representatives. Mr. Larson would be very desirable. It would appear that he is on the way to full and complete recovery.

On the other hand, there are those who have suggested that the operation of the Compact will involve considerable stream gaging, and you may want to consider someone from the Geological Survey. In that organization there are two men, that I know of, who have been suggested. Mr. Tom Newell, who was at our last meeting, is, I understand, just going on retired status. Also in that organization, Lynn Crandall has been offered as a possibility.

COM. JOHNSON: It would seem to me that we keep ourselves on safer ground if we do not go to the Geological Survey for a Chairman, if we are going to use them in an advisory capacity throughout the initial years. I think that we should keep these agencies without any possibility of their dominating our thinking. I feel that my first choice, if we were going to use the Geological Survey in an advisory capacity, would be to have someone from the Bureau of

Reclamation. I have a very deep regard for E. O. Larson. He has never injected himself among us except as a peace-maker.

COM. KULP: I have a little divergent view of the status of a Federal representative than Mr. Johnson. A Federal representative, as I understand it, is appointed by the President to protect the interests of the United States, not the Geological Survey or any particular agency, just the interests of the United States.

MR. PERSON: There has been some tendency to appoint the Federal representative away from the area completely. Any of the names that have been submitted would be excellent in my opinion.

COM. KULP: The Upper Colorado insisted on someone that would not be from any of the states involved. The Columbia Interstate Compact Commission last month insisted, on the insistence of Oregon and Washington, that their Federal representative be from the Pacific Northwest.

After further discussion, three nominations for recommendation as Federal representative were made as follows:

COM. JOHNSON: I nominate Mr. E. O. Larson of the Bureau of Reclamation, in Salt Lake City, Utah.

COM. KULP: I nominate Mr. T. R. Newell, District Engineer of the Surface Water Branch, Water Resources Division, U. S. Geological Survey, Boise, Idaho.

COM. LLCYD: I nominate an outside man, Mr. H. E. Comstock, formerly Regional Director of Region VI, U.S. Bureau of Reclamation, Billings, Montana, now retired and living in Billings, Montana.

COM. SINGHAM: What we want to avoid, if possible, is having someone who is simply not capable or qualified to proceed as Chairman. I think there might be some wisdom in designating two or three individuals, if acceptable

to this group.

I move that we forward the nominations to the President with a copy to the Secretary of the Interior, designating these three men in the order named, as being acceptable to the states.

COM. KULP: Seconded the motion.

Motion carried.

THE CHAIRMAN: May we have nomination for a temporary Secretary?

COM. KULP: I would like to nominate Mr. Bingham as temporary Secretary until the by-laws are written up showing whether we need a Secretary or not.

COM. LLOYD: Seconded the motion.

Motion carried.

COM. BINGHAM: I shall be happy to accept this assignment on a temporary basis. I would like to know what is your pleasure on notifying the White House. I assume you would like that taken care of right away?

This was agreed to.

COM. SMOOT: Shall we set the date for the next meeting?

THE CHAIRMAN: I think it would be proper to set a tentative date at least.

COM. KULP: We have three committees to report at that meeting, and these three committees comprise all 9 members of the Commission.

COM. JOHNSON: Much of the solution of this matter on the Upper Division would lie between Wyoming and Utah alone. The question is, if the people from Utah meet to try to find out what is the allocation of their share of the storage this coming Friday, April 11th, I just wondered if the Wyoming delegation in the Commission here might hasten a date that they could get together and talk over their storage. Governor Clyde has urged us to work as

quickly as we can toward a reservoir program , and I am wondering if we could work independently and still be within the sense of the Compact provision that we work with the Wyoming delegation to work out a program in the Upper River.

I would like to urge Mr. Lloyd to urge the Wyoming water users to work out their storage plans. If they could meet in the near future, we would not have to put off the date of a full Commission meeting more than three weeks.

COM. MYERS: We have a group of surveyors going over all of our sites to see which are the most feasible. Some of the communities have been meeting, and we are working on it now, but it will take longer than a week to get our data together. We will contact Mr. Dayton and get started on getting our information together. We discussed sending out a circular to every water user as to his personal desires on storing water - maybe we can do something like that to start with.

MR. PERSON: The problem in Wyoming is not quite as simple as yours. We have Upper, Lower and Smiths Fork Sections, and we cannot settle that storage allocation in three weeks - maybe not in a year or a couple of years. I will go right along with you that we should move as fast as we can, but we cannot do it overnight in Wyoming.

COM. JOHNSON: If we just knew the proportion of the water that is coming down the river to Lincoln County that would be all we cared about, where you store the water is entirely up to you.

COM. MYERS: There is no division in the Compact on storage water. We will do it just as fast as we can.

COM. BINGHAM: I think the Bureau of Reclamation is working on the basis of tentative agreements reached at Evanston and are making a feasibility report on their Woodruff-Cokeville Project.

After further discussion, it was decided to hold the next meeting in approximately three weeks.

THE CHAIRMAN: We will arrange to meet on April 26, 1958, in Salt Lake City.

Do you have anything you would like to bring up?

COM. BINGHAM: There are three minor items. These people who are concerned with the budget might want to look at the final paragraph in Article III of the Compact, regarding submission of a report of expenditures, and an estimate of requirements.

The next items are on Page 7, dealing with storage and irrigation reserve. There is this sentence, "As new reservoir capacity is constructed above Stewart Dam to provide additional storage pursuant to Paragraph "A" of this Article, the Commission shall make a finding in writing as to the quantity of additional storage, and shall thereupon make an order increasing the irrigation reserve in accordance with the following table, etc....."

I do not know when we should do that, but it is my understanding that there is constucted storage in Sulphur Creek which would in effect increase the irrigation reserve in Bear Lake. Some thought should be given to this.

COM. SMOOT: What is the status of the Lake at this time?

COM. BINGHAM: Considerably above the irrigation reserve - elevation 5,918.5.

One other point is the matter of complying with the Compact again. In Article X, at the bottom of the page it states that "The official of each State in charge of water administration shall, upon the filing of an application affecting Bear River water, transmit a copy thereof to the Commission."

I presume that would be the State Engineers of the respective states,

and it may be appropriate that the Commission would want an early date to call that provision to the State Engineer's attention.

THE CHAIRMAN: If there is nothing further, we shall adjourn the meeting and we can call our committee meetings here in a few moments.

The meeting adjourned at 2:30 p.m.

BEAR RIVER COMPACT

DIRECT FLOW OPERATIONAL DETAILS

UPPER DIVISION

W. N. Jibson
U. S. Geol. Survey
April 5, 1958

Past experience indicates that three to four days are required for a trained man to make one complete round of measurements on the 64 canals above Woodruff Narrows. To visit this group and secure gage readings without measurements will require two or three days, since many of the canals are difficult to reach except by foot. Time for computation of measurements, reporting results to a central office, and determination of Section allocations will require another day.

Thus, under the present system of employing a single watermaster in the Evanston area to cover this group of stations, a very busy four or five days will be required between each determination of Compact allocations. Considering the rapid drop in supply during this period, it becomes evident that some difficulties would be experienced in obtaining daily compliance with Compact provisions. The following factors would tend to improve conditions and make for a more workable program in the Upper Division:

(1) Keeping in mind that in most years past records indicate a period of regulation of only about two weeks is involved, one or more assistant watermasters might be temporarily employed primarily as gage readers. In the past, gage readings have been secured on some rather inaccessible canals by nearby water users. The authority to regulate, however, might preferably be vested in only one individual.

(2) The Geological Survey in spot checking to determine adherence to measurement standards, would be in a position to supplement the data collection by local watermasters. In performing this function, we would endea-

vor to fit our schedule with the watermasters to avoid some duplication of visits. Of course, there would be no regulatory authority vested in our personnel, and this should be clearly understood by all water users.

(3) It is recommended that water users be encouraged within reason, to provide accessibility to certain gages which now require long hikes in hip boots. On some canals, a very nominal improvement in a farm roadway might eliminate a two-mile hike. On others, involving long hikes over areas of wet meadow land, it would be entirely impractical to provide vehicle accessibility during the season of water application.

(4) Many of the larger canals above Woodruff Narrows and all in this Division below the Narrows are equipped with recorder structures. Those in the Woodruff - Randolph area are permanent metal structures installed by the Survey a few years ago and paid for by the local water users. Those in Wyoming and the Upper Utah Section are, for the most part, temporary wooden structures in poor condition. Continuous records obtained with a water-stage recorder are not as time-saving and convenient under a day to day operational program, where station visits must be made at frequent intervals regardless of recording equipment, as they would be under a routine record collection program. Nevertheless, they are valuable in getting average daily flows and in securing permanent, continuous records on the more important diversions. To the extent of the limited availability of recording equipment, we recommend that weekly or continuous recorders be installed each season in these existing structures as they have been in our past diversion programs; that they be maintained and provision made for installation on other selected canals as the Commission might deem advisable for future requirements.

(5) Experience gained in the first few seasons of operation will no doubt bring about modifications in administrative details toward more efficient and economical operation.

CENTRAL DIVISION

In the Central Division, it is expected that administration will be less complicated since canals are fewer in number and more accessible for better coverage by the watermaster in each state, and secondly, supplies drop off much more slowly allowing a little more leeway between determinations of allocations. After regulation begins each year, however, the period will extend through the balance of the season and watermaster requirements will be for a longer period than in the Upper Division.

If total diversions, from which resulting allocations are computed, could be determined about every third day, an adequate program of regulation could probably be carried out. As in the Upper Division, the cooperating agency would plan to do a certain amount of spot-checking of gage heights and measurements to assist the Commission in determining compliance with technical standards. Such checking would supplement watermaster's reports.

Water-stage recorders are now being used on the major diversions in Idaho and have been used on a few of the larger canals in Wyoming. Recorders would be advantageous on several other diversions in the Wyoming Section, and should be considered for future planning.

DIVERSION WORKS

UPPER DIVISION

An inspection of canal headings was made in 1955 at the request of Wyoming and Utah Commissioners. The type and condition of headworks at that time in each of the Sections of the Upper Division is summarized as follows:

Upper Utah: Five canals head in this Section, four of which irrigate land entirely in Wyoming and will be under jurisdiction of Wyoming Water Commissioner. All have flume-type or pipe headings controlled by flashboards.

Upper Wyoming: About 61 canals have headings in this portion of Wyoming. Of this group---

19 have adequate headworks with lift or screw-type gates.

15 have headworks in which control is by removable flashboards.

27 have no headworks whatever or were in such bad condition as to be of little use.

Since the inspection in 1955, it has been reported that several pipes with attached metal gates have been installed in this area.

Lower Utah: Ten canals have headings in this Section of Utah. Nine are equipped with headworks of various types, most of them achieving control by the use of removable flashboards. One canal had no headworks at the time of inspection.

Lower Wyoming: Four canals divert at the B. Q. and Pixley Dams. Control in this group of canals is accomplished primarily by checks in the two diversion dams.

CENTRAL DIVISION

Wyoming Section: 34 canals from Smiths Fork and Bear River are included in this Compact section. In addition, five natural watercourses will be gaged as part of the divertible flow, though headworks would not be involved. As of the date of inspection in 1955, a breakdown on the 34 canals shows:

- 12 have adequate headworks with lift or screw-type gates.
- 10 have flume or abutment type headworks in which control is by flashboards.
- 12 have no headworks or were in such bad shape as to be of little use.

Idaho Section: Inspection not made.