

FILE

11/22/65

MINUTES OF THE  
BEAR RIVER COMMISSION  
REGULAR MEETING  
November 22, 1965

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BEAR RIVER COMMISSION

Minutes of Regular Meeting held in the Water Conference Room  
Utah State Capitol  
November 22, 1965

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The Regular Meeting of the Bear River Commission convened in the Water Conference Room of the Utah State Capitol Building, Salt Lake City, Utah on Monday, November 22, 1965 at 9:35 a.m. Chairman E. O. Larson presided.

Voting Commissioners present:

IDAHO

C. L. Swenson, Preston  
R. Keith Higginson (Alternate Commissioner for Carl E. Tappan), Boise  
Lloyd Dunn, Georgetown

UTAH

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

WYOMING

J. W. Myers, Evanston  
S. Reed Dayton, Cokeville  
Floyd A. Bishop, Cheyenne

UNITED STATES

E. O. Larson, Chairman and U. S. Representative

Alternate Commissioners and Advisers present:

IDAHO

Russell Stoker, Soda Springs (Adviser)

UTAH

Robert J. Potter, Garland (Alternate Commissioner)  
Glenn McKinnon, Randolph (Alternate Commissioner)  
Ross H. Plant, Richmond (Alternate Commissioner)  
Robert B. Porter, Salt Lake City (Adviser)  
Hubert C. Lambert, Salt Lake City (Adviser)  
Dallin W. Jensen, Salt Lake City (Adviser)

WYOMING

John A. Teichert, Cokeville (Adviser)  
Tom Cahill, Cheyenne (Adviser)

LEGAL ADVISER TO THE BEAR RIVER COMMISSION

E. J. Skeen, Attorney, Salt Lake City, Utah

Others Present:

Wallace N. Jibson, Assistant Secretary, Bear River Commission, Logan  
Robert D. Berrett, Controller, Utah Water & Power Board, Salt Lake City  
Maralyn Tolman, Secretary, Utah Water & Power Board, Salt Lake City  
Elmer J. Taylor, Utah Power & Light Company, Salt Lake City  
Paul Winegar, Deseret News, Salt Lake City

CHAIRMAN LARSON: We will commence with the regular 1965 meeting of the Bear River Commission. We will call on the States to make introductions since there have been some changes. We will call on Idaho first.

COM. SWENSON: I would like to introduce Lloyd Dunn, a new member of our Commission, from Georgetown; Russell Stoker; and R. Keith Higginson, who is the alternate for Carl Tappan.

COM. BINGHAM: All of you know A. V. Smoot and L. B. Johnson; we have Mr. Potter and Mr. McKinnon, alternate commissioners from Utah; the State Engineer, Hubert Lambert; Assistant Attorney General, Mr. Jensen; and we also have Mr. Porter, who continues to advise us on Bear River matters; and Ed Skeen.

COM. DAYTON: There are no changes in Wyoming. We have J. W. Myers, and John Teichert, a Board of Control member.

CHAIRMAN LARSON: For those who don't know, Mr. Skeen is adviser and attorney to the Commission. The first order of business is the minutes of April 23, 1965 meeting, and the minutes were just available this morning, so I think it might be appropriate to have Mr. Jibson review these minutes and then we can approve them subject to any changes you may find.

REVIEW OF MINUTES OF MEETING HELD APRIL 23, 1965

MR. JIBSON: Gentlemen, I apologize for making available the minutes just this morning, but we can go over them together this morning and discuss the main topics that were discussed at the April 23 meeting.

Chairman Larson called the meeting to order, but we did not have a quorum present at that time. I believe the only one here from Idaho was Commissioner Tappan. Chairman Larson read a letter from the National Referral Center for Science and Technology written to him concerning a compilation and inventory of information on resources for serving American scientists and technical personnel. It was Mr. Larson's opinion that we did not have anything in the Bear River Commission files that would be pertinent to their needs, and he answered their letter to this effect. Mr. Tappan commented briefly that Mrs. Fred Cooper has some information, particularly file material still in her possession. I intended to stop and talk to her and see if there is anything of value to the Commission. I haven't had a chance to see her since the meeting but will still carry through on this matter.

Then we presented the report of the Assistant Secretary. In general my report discussed the more than adequate water supply in prospect for the 1965

season. I mentioned also that we had received our 1964 annual report from the printers, and it was ready for distribution by April 1 for the first time since the Compact has been in operation. Applications for appropriation presented to the Commission included the Bureau of Reclamation filings in Utah for the proposed Oneida Project (two Box Elder County applications); the remaining applications were relatively small and dealt principally with underground development of small wells. We did have some discussion on an application for 250 acre-feet of storage above Bear Lake from a small tributary above Stewart Dam. I raised the question as to whether or not a dam legally could be built there, because it would seem to come under the additional storage provision of the Compact. We have only 1,000 acre-feet of storage allocated to Idaho, and it must be used on Thomas Fork.

(Mr. Bishop and party arrived from Cheyenne)

COM. BINGHAM: I would like to introduce Floyd Bishop of Wyoming and Tom Cahill from the Attorney General's Office, Wyoming.

MR. JIBSON: (Continuing with review of minutes of previous meeting) It was Mr. Skeen's opinion concerning this small reservoir development that there was nothing in the Compact that would prevent building of the dam, but storage would have to take its proper priority in Idaho, in which case it would be subordinate to the rights on Bear Lake; and therefore, there would seldom be a time when they could store water. It would seem to be rather pointless to develop this storage, and I don't know whether or not the dam has been built or is being built.

An inquiry by telephone showed that Mr. Swenson and Dr. Kackley would not be present at the meeting. Approval was received by the Governor to appoint Mr. Stoker temporarily as a commissioner from Idaho in order to have a quorum present. Dr. Kackley apparently had informed the Governor that he had not received a notice of the meeting, so I made a statement that Dr. Kackley had been mailed two notices besides being informed by telephone. When I returned to Logan, I checked again and found that both notices were sent—one to Yuma and one to Boise.

The next item of business was the election of officers in which Commissioner Tappan moved that the Bear River Commission elect Mr. Cleo Swenson as Vice Chairman of the Commission. The motion was seconded and unanimously carried. It was also moved that the officers as now constituted, the Secretary-Treasurer and Assistant Secretary, be re-elected by acclamation. That motion was also carried.

Commissioner Bingham called on Mr. Robert Berrett to give the financial report of the Commission. It showed at the time that we had a rather weak balance on hand as of March 31, 1965 of \$821.30. I believe at that time Wyoming and Idaho had not submitted their budget assessments to the Commission.

We then proceeded to a motion by Commissioner Bingham concerning the operation of the Compact. He noted that we were in our seventh year of operation and moved that the Bear River Commission authorize the preparation of a resolution commending the U. S. Geological Survey for our efficient and economical administering of the Compact and in seeing that all provisions of the Compact had been complied with. This motion was seconded by Commissioner Tappan of

Idaho in which he stated that Idaho had been completely satisfied with the administration of the Compact. It was also seconded by Commissioner Bishop of Wyoming who made a similar statement. The resolution was subsequently prepared and is a part of the minutes (following page 10). We appreciated this resolution very much. I feel that the resolution is very well stated, and I would like to commend Mr. Bingham and others who prepared it.

When called upon for Committee reports, Commissioner Smoot mentioned that there was nothing to report on the budget. There will be a statement on the budget and auditing procedures today (by Mr. Berrett).

We had the question asked by Mr. Johnson as to whether or not the Legislatures had approved the cooperative program as it had been outlined. The answer was in the affirmative for each of the three States. They had approved the requests outlined and presented.

Commissioner Bishop then brought up the question of winter stockwater releases from Woodruff Narrows. There has been a little dissension as to whether the 15 or 16 cfs released during the past few winters was sufficient to satisfy stockwater requirements. You will recall that a minimum of 10 cfs is required by the Utah Fish and Game Commission for fish propagation (from holdover storage). It was my opinion that, with one exception, we had no objections to the release of 15-16 cfs. Following the meeting, Mr. Bishop, myself, and one or two others had a discussion with Mr. Francis on this matter. I believe we reached an understanding with him that the past release would be adequate.

We then discussed Mr. Porter's suggestion that we consider raising Bear Lake Irrigation Reserve from the elevation corresponding to 20,000 acre-feet to that elevation corresponding to 25,000 acre-feet of reservoir construction. Mr. Porter suggested that I make a study of this matter and make a full report at our next meeting, and that we hold the motion in abeyance until that time. I have prepared a brief report which we will discuss later today. I believe this concludes the highlights of the previous minutes unless there are questions.

COM. JOHNSON: In relation to your visit with Mr. Joseph Francis, you said the release would be adequate. What does "adequate" mean?

MR. JIBSON: I mean the past release—the 15 or 16 cfs.

COM. JOHNSON: I don't think there should be any such word as "adequate" used in relation to water. I would like the minutes to show that we object to the term "adequate."

MR. JIBSON: I don't believe we used the term "adequate" in the minutes. Perhaps, Mr. Chairman, we could read the statements that were made.

COM. BISHOP: The comment was that the release was not sufficient to keep the river free of ice, and the ranchers were forced to break the ice for stockwater. What is the story on that?

MR. JIBSON: As you know, the Fish and Game Department participated in the cost of the reservoir in exchange for a minimum release of 10 cfs (from holdover storage when available). The first year we held to that release and found that it was not going to be enough

for stockwater. The release the past two winters has been from 15 to 16 cfs (charging Fish and Game storage with 10 cfs). The winter before last, Reservoir Company officials visited the Francis Ranch and examined the river channel at that time and discussed this problem with the ranch foreman. It was the feeling of the President of the Reservoir Company (Simeon Weston) that 15-16 cfs would be adequate to take care of the stock. The Reservoir Company again set the gates last fall, and the release of 15-16 cfs has been maintained throughout the winter. I was not aware of any problem during this past winter.

COM. JOHNSON: We chop our ice out and water our stock. It is better not to have so much water in the winter months when it freezes. Your stock can be drowned in deep water.

MR. JIBSON: There is no ice immediately below the reservoir. That water is relatively warm coming from the bottom of the reservoir.

COM. JOHNSON: We have had extreme difficulty in the river this year. We have not been able to cross the cattle. We are getting a terrific sedimentation in the river, particularly from the highway down. Where we used to be able to drive across the river, we are doing good if we can get a good saddle horse out of it now. We have to water our cattle around holes that we chop. If we have one of those blowing, drifting days, by the time they eat their hay, unless we stay there all day with them, it blows over and it gets so they can't drink. The less water we have down there, the better off we are.

MR. JIBSON: I might explain to the Commission what is happening this fall. As you know, the season was so wet that by the time the fall irrigation season came around, the land still was not dried up enough for haying in Rich County. So the Reservoir officials decided to leave the reservoir full rather than release water for fall irrigation, and we ended the season with water still going over the spillway.

Simeon Weston, President of the Reservoir Company, informed me that they would like to pull the level down during the fall and winter, preferably at a uniform rate, so there would be space in the reservoir for filling next spring during the snowmelt. It was his feeling, and I concurred with him, that there wasn't much need to leave the reservoir full during the winter. We did compute for him a release that, pending a normal winter, would bring the reservoir down to 15,000 acre-feet before the spring snowmelt. We discussed with Mr. Weston the possibility of potential damage or trouble that might occur during the winter. His feeling on the matter was that if we didn't change the flow or the release too much during the winter, 100 or 150 cfs could be released without causing any problems. We were concerned about releasing half that much and then after freezeup doubling it, or releasing double that amount and then after freezeup halving it, in which case we could have ice troubles. It was the feeling of the Reservoir Company officials that if we could stick to a uniform release, once the flow is stabilized there would be no problem. The problem Mr. Johnson poses I was not aware of, but this is a little background on what is happening now.

COM. JOHNSON: I judge that where major changes in the operation are concerned that no two people should decide. It depends on where you live on the Bear River and what you are doing.

MR. JIBSON: I don't know what you mean by two people, Mr. Johnson. I did not make the decision. I only computed for Sim a uniform rate that would bring the reservoir down to where he wanted it.

COM. JOHNSON: Mr. Chairman, I want to drop the subject, but I want it understood that any major changes should not be made in such way again.

COM. MYERS: I have a more pleasant subject. I have been teased a lot about missing these meetings, and on page one I notice that I missed again; however, I was here. (Correction made on all copies of minutes.)

MR. SKEEN: Mr. Chairman, I would like to call attention to a couple of corrections I would suggest. On page seven, after my name appears the word "ambigu-ousness." It would sound better if it were changed to "ambiguity." On page nine, the word "imminently" in Mr. Tappan's statement should be changed to "eminently." (Above corrections made on all copies.)

COM. BINGHAM: One other matter—the last sheet in connection with the resolu-tion. On the certificate the date April 12 should be changed to April 23. (Correction made.)

COM. SMOOT: Mr. Chairman, I move that the minutes be adopted as corrected.

COM. DAYTON: I second the motion.

CHAIRMAN LARSON: Motion carried.

#### REPORT OF THE COMMISSION CHAIRMAN

I have no report except to say this is the first water year I have ever seen like the one we have had where apparently Bear Lake is full to everyone's satisfaction, but I understand too full for some.

The next report is the report of the Secretary.

#### REPORT OF THE SECRETARY-TREASURER

COM. BINGHAM: As has been our practice, the accounts of the Commission are handled by Mr. Berrett, and he is prepared to give you a financial report and also the audit which would be appropriate at this particular meeting.

MR. BERRETT: The period covered by the audit was to June 30, 1965. The audi-tor's opinion (William Anderson, a certified public accountant of Salt Lake City) was that the cash position of the Bear River Commission is fairly stable.

COM. BINGHAM: As you may recall, we had the firm of Lincoln-Kelly prepare the initial audit and set up the accounts for the Commission. Subsequently, they have merged with a larger national accounting firm, and we have stayed with the man instead of the firm. Mr. Anderson has from the very beginning been the man who took care of the audit. He has his own consulting firm now.

MR. BERRETT: The statement that I have prepared covers the period of July 1, 1965 to November 19, 1965. I tried to bring this as close as possible to the meeting date, so this was as of last Friday. (See Statement of Income and Expenditures attached.)

BEAR RIVER COMMISSION  
STATEMENT OF INCOME AND EXPENDITURES  
FOR THE PERIOD OF JULY 1, 1965 to NOVEMBER 19, 1965

INCOME	<u>Cash on Hand</u>	<u>Approved Budget</u>	<u>Assessment Outstanding</u>	<u>Total Revenue</u>
Cash Balance 7/1/65	\$13,915.69	\$ - - - -	\$ - - - -	\$13,915.69
State of Wyoming	- - - -	10,750.00	10,750.00	
State of Idaho	- - - -	10,750.00	10,750.00	
State of Utah	- - - -	10,750.00	- - - -	10,750.00
<b>TOTAL INCOME TO NOV. 19, 1965</b>	<b>\$13,915.69</b>	<b>\$32,250.00</b>	<b>\$21,500.00</b>	<b>\$24,665.69</b>

DEDUCT OPERATING EXPENSE

EXPENDED THROUGH U.S.G.S.	<u>Approved Budget</u>	<u>Unexpended Balance</u>	<u>Total Expenditure</u>
Stream Gaging	\$22,900.00	\$13,264.00	\$9,636.00
Personal Service	5,690.00	1,823.00	3,867.00
Travel	1,000.00	209.00	791.00
Fiscal Charge	300.00	86.00	214.00
Washington Office Charge	710.00	323.00	387.00
General Office	200.00	(470.00)	670.00
Sub-Total	<u>\$30,800.00</u>	<u>\$15,235.00</u>	<u>\$15,565.00</u>
<b>EXPENDED THROUGH COMMISSION</b>			
Printing Annual Report	\$ 500.00	\$ 500.00	\$ - - - -
Treasurer Bond & Audit	300.00	300.00	- - - -
Transcription of Minutes	150.00	150.00	- - - -
Miscellaneous	100.00	100.00	- - - -
Legal Consultant	300.00	300.00	- - - -
Office Expense & Supplies	100.00	83.91	16.09
Sub-Total	<u>\$ 1,450.00</u>	<u>\$ 1,433.91</u>	<u>\$ 16.09</u>
Total Disbursements	<u>\$32,250.00</u>	<u>\$16,668.91</u>	<u>\$15,581.09</u>

UNEXPENDED CASH BALANCE AS OF NOVEMBER 19, 1965 \$ 9,084.60

BEAR RIVER COMMISSION  
DETAIL OF EXPENDITURES FOR THE  
PERIOD ENDED NOVEMBER 19, 1965

<u>Voucher</u> <u>Number</u>	<u>Vendor</u>	<u>Amount</u>
102	U.S.G.S.	\$8,157.00
103	V. O. Young, Inc.	16.09
104	U.S.G.S.	<u>7,408.00</u>
TOTAL EXPENDITURES - PER PAGE -1-		\$15,581.09

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RECONCILEMENT OF CASH ON HAND AND IN BANK  
AS OF NOVEMBER 19, 1965

Cash in Bank Per Statement 11/1-65	\$5,742.60
Deduct: Checks Outstanding	7,408.00
Deposit 11/16-65	10,750.00
TOTAL CASH ON HAND AND IN BANK AS OF NOVEMBER 19, 1965	\$9,084.60

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I might mention at this time that we have a slight conflict regarding the money that has been expended through the U.S.G.S. We have money expended by the U.S.G.S, and these payments are made quarterly. The last payment in the fiscal year was for the last quarter, and we weren't billed for this until after July, and we close our books on June 30. We have under "General Office" a total budget approved of \$200 and to the present time we have spent \$670, which gives us an overexpenditure of \$470. This is not serious, however. This is merely the way the periods come out, and we overextend some periods.

COM. SMOOT: As chairman of the budget committee, I have looked over this with Mr. Jibson and Mr. Berrett, and it looks as though there is a minor adjustment that needs to be made within the total budget on this item. I would move that the Commission authorize this adjustment to be made and get this in balance.

COM. MYERS: I second the motion.

CHAIRMAN LARSON: Are there any comments?

MR. JIBSON: I want to ask Mr. Berrett if it would be preferable to eliminate this problem by billing before June 30. It seems that a few years ago we did bill earlier to clear the books before June 30. I had the billing down to our administrative office in Salt Lake City before June 30 this year. Would it be better if you did make the payment before June 30?

MR. BERRETT: Yes, it would. At least we are billing then in the last quarter.

MR. JIBSON: We will make it a point to do that.

CHAIRMAN LARSON: Are there any other comments on the motion? Motion unanimously carried.

MR. BERRETT: This concludes my report unless someone has some other questions.

COM. BISHOP: Was the assessment to the individual states raised from \$10,250 to \$10,750?

MR. BERRETT: Yes, it was. It was the November meeting of last year when we had it in the approved budget.

COM. SWENSON: I make a motion that the financial report be received and filed, and that a copy be provided to the Governors of each State.

COM. JOHNSON: I second the motion.

CHAIRMAN LARSON: Motion carried. That concludes the report of the Secretary. Next is the report of the Assistant Secretary.

#### REPORT OF THE ASSISTANT SECRETARY

MR. JIBSON: It seems quite repetitious to say that we had a good water supply last year. I will read my report and perhaps it would be expeditious to hold questions until I am finished.

(Report attached.)

REPORT TO BEAR RIVER COMMISSION

November 22, 1965

Wallace N. Jibson  
Assistant Secretary

1965 Water Supply and Compact Operation

Water Supply

Record watershed yield has come from the upper Bear River and Smiths Fork this past year with total runoff evidently exceeding that in any year back at least to the early twenties, though records above diversions extend back only 23 years. Especially noteworthy were the high recessional and base flows that followed high though generally below-record peaks. The river system yield below Bear Lake, though well above average, has been exceeded a number of times during the period of record.

Seasonal and water-year runoff in the upper basin exceeded that in the early fifties by 5 to 13 percent, while Logan River and other lower basin tributaries yielded less than in the earlier period and relatively less than in the upper basin as was noted also in 1964.

The following table shows seasonal and water-year runoff at key stations in 1965 with comparative figures for last year and the 23-year average. Monthly distribution of supply in upper Bear River and Smiths Fork is shown in figures 1 and 2.

Runoff in acre-feet			
May - September			
	Average 1943-65	1964	1965
Upper Bear River	113,200	120,600	189,600
Smiths Fork	108,300	117,600	153,000
Logan River	118,300	114,100	165,800
			} 150% of average
Water Year			
Upper Bear River	134,700	135,600	206,800
Smiths Fork	140,100	149,500	190,500
Logan River	177,700	159,200	230,200
			} 139% of average

UPPER DIVISION - BEAR RIVER SUPPLY  
Cubic Feet Per Second

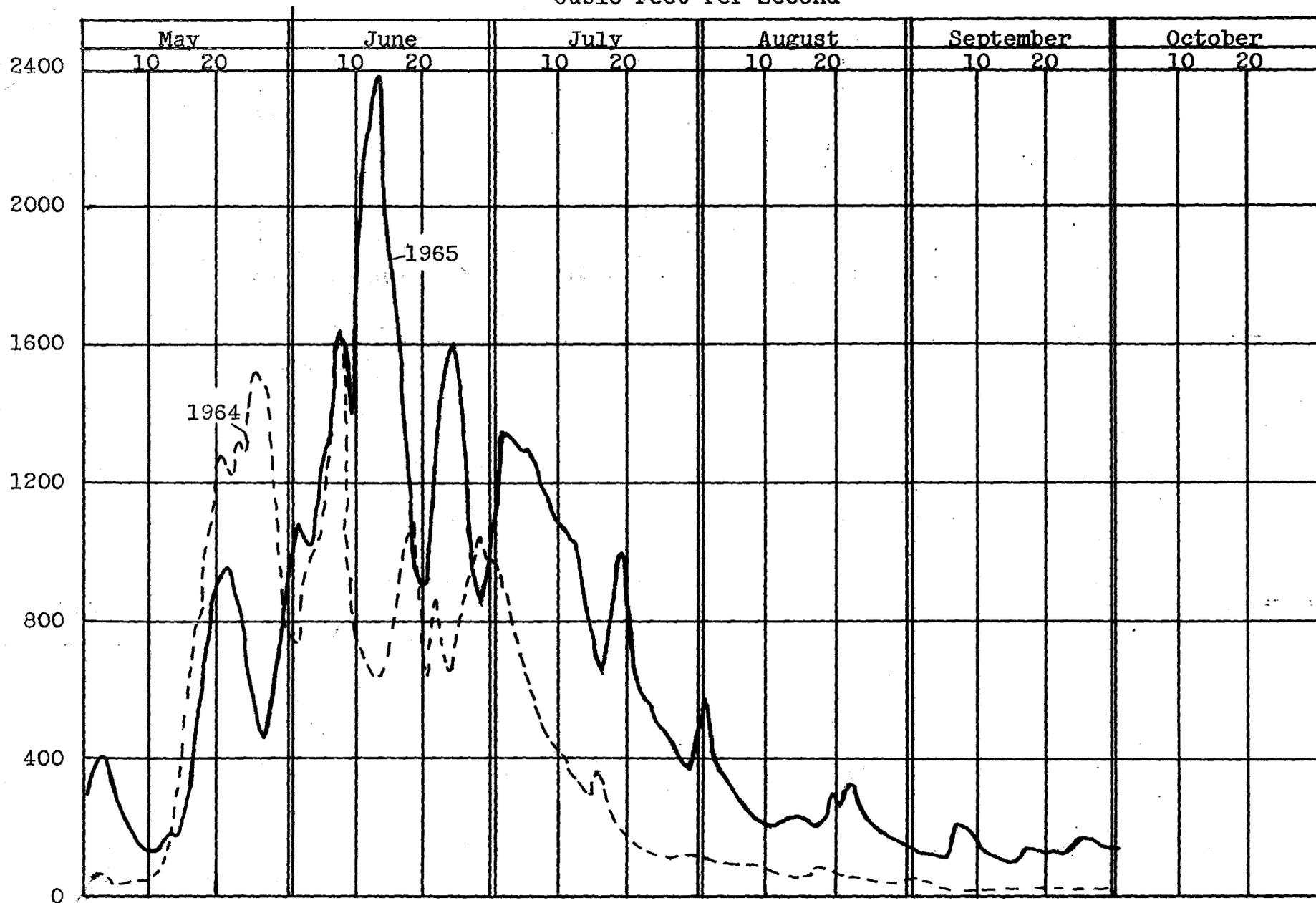


Figure 1

CENTRAL DIVISION - SMITHS FORK SUPPLY  
Cubic Feet Per Second

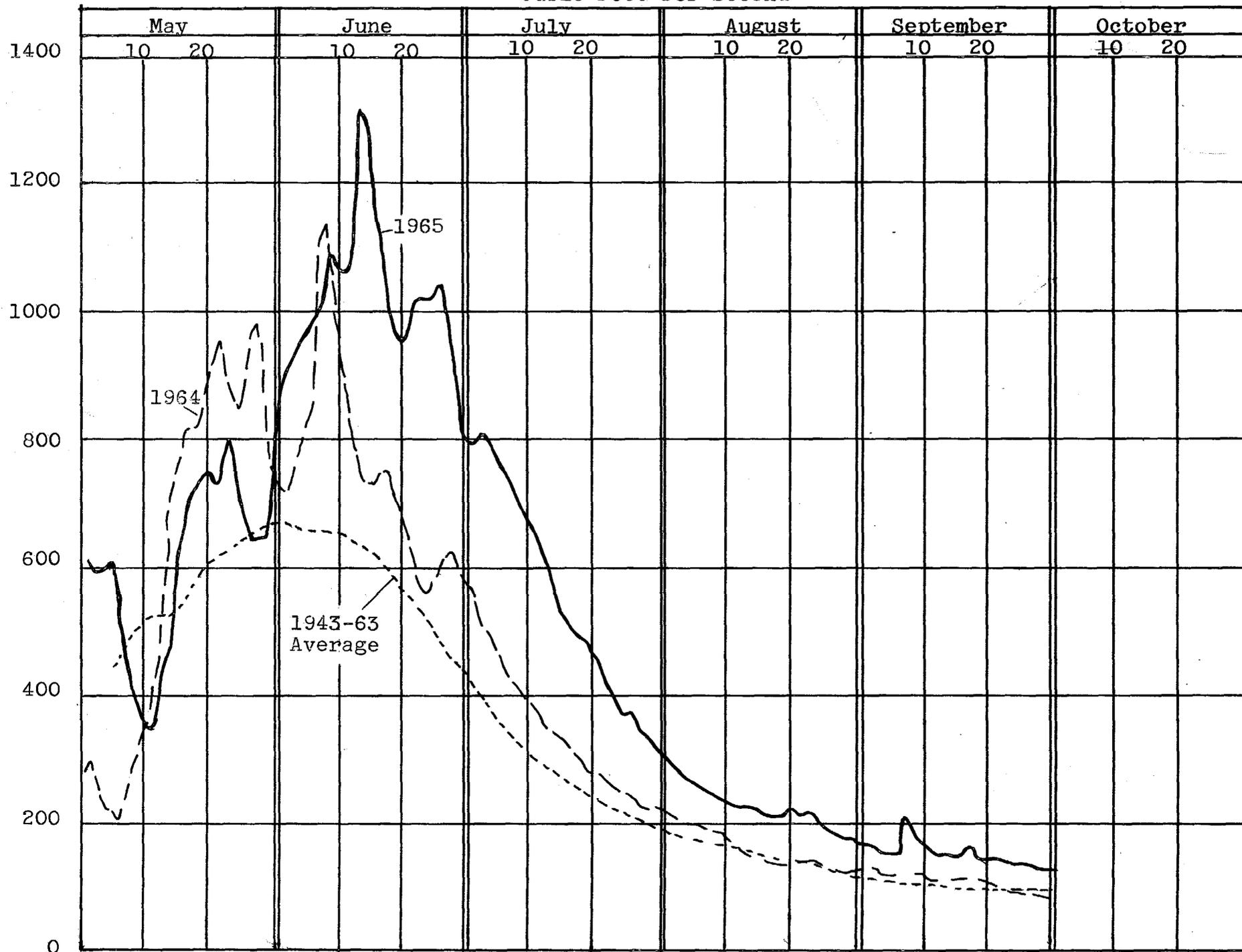


Figure 2

It is interesting to compare May - September runoff as forecast May 1, 1965 with measured runoff for the same period:

May - September Runoff in Acre-Feet

	<u>Weather Bureau</u>	<u>Soil Conservation</u>	<u>Measured</u>
Upper Bear River	120,000 (63%)	147,000 (77%)	189,600
Smiths Fork	-	174,000 (114%)	153,000
Logan River	165,000 (100%)	170,000 (103%)	165,800

Bear Lake made a record-high gain of 520,600 acre-feet during the storage period (see figure 3) and a record-low loss of 64,000 acre-feet during the draft period. At the end of July the lake reached a seasonal peak of 5,922.74 feet (1,357,000 acre-feet) or 0.91 foot below the accepted maximum elevation (1,421,000 acre-feet). Currently, 1,000 cfs is being released to make space available for next year's snowmelt runoff; consequently, the lake is now storing 1,259,000 acre-feet (5,921.35 feet) compared to 1,293,000 acre-feet (5,921.83 feet) on September 30.

Streamflow Distribution

As would be expected, there were no problems incident to interstate regulation during this season of more than adequate supply. A graph of Upper Wyoming diversions with Compact operational data in the Upper Division is shown in figure 4. It is noted that for most of May and following July 25 total divertible flow in this division was below 1,250 cfs thus necessitating allocations to State sections; however, the Wyoming diversion rate was well below the allocation.

Diversions in the lower sections of this division are shown in figure 5, also the flow leaving the division below Pixley Dam. Only for a brief period in May was all the available supply retained for diversion at and above Pixley Dam.

Woodruff Narrows Reservoir spilled throughout most of the season (see figure 6) with anticipated releases for fall irrigation not materializing because

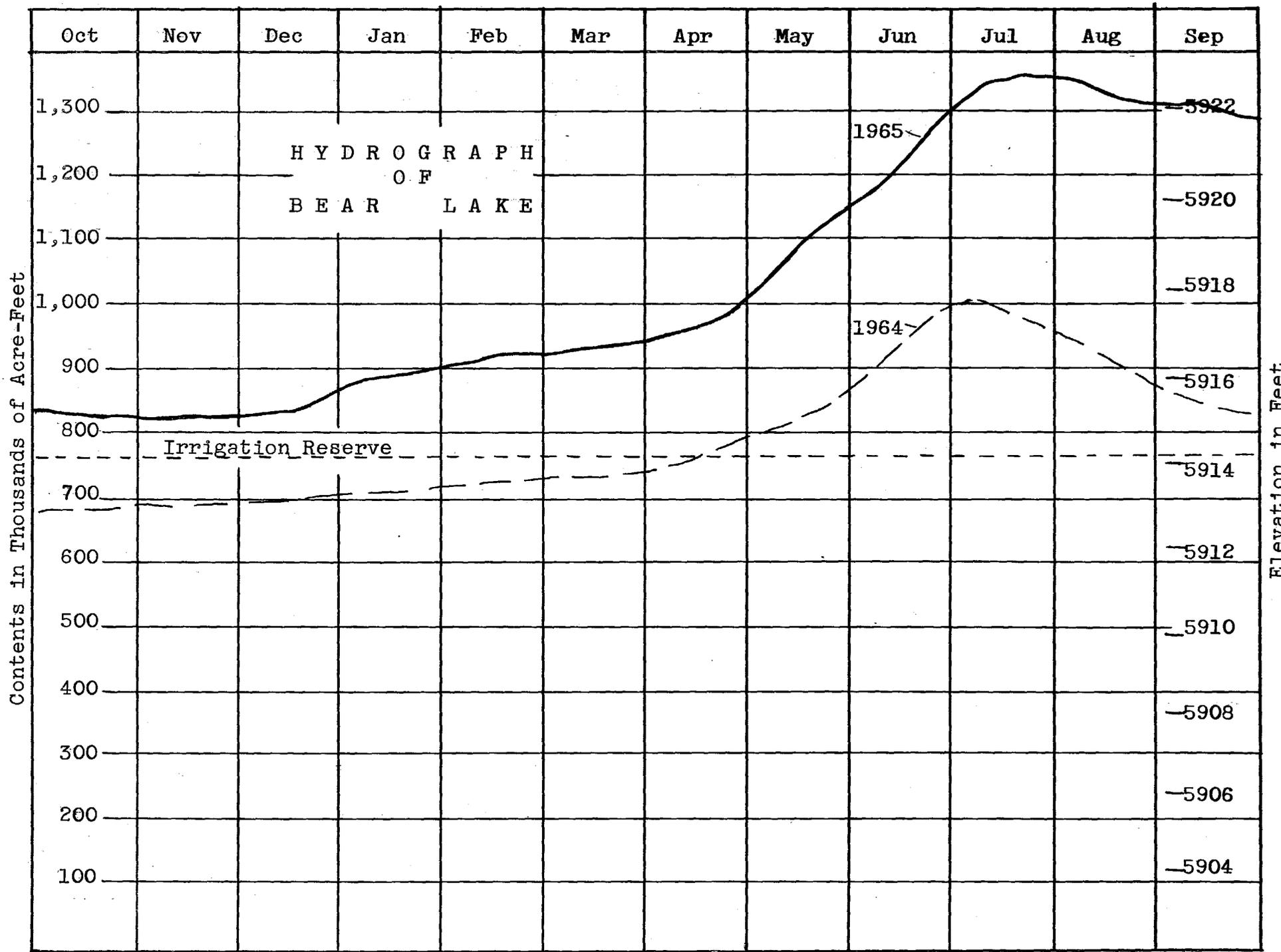


Figure 3

UPPER DIVISION - UPPER WYOMING SECTION  
Cubic Feet Per Second

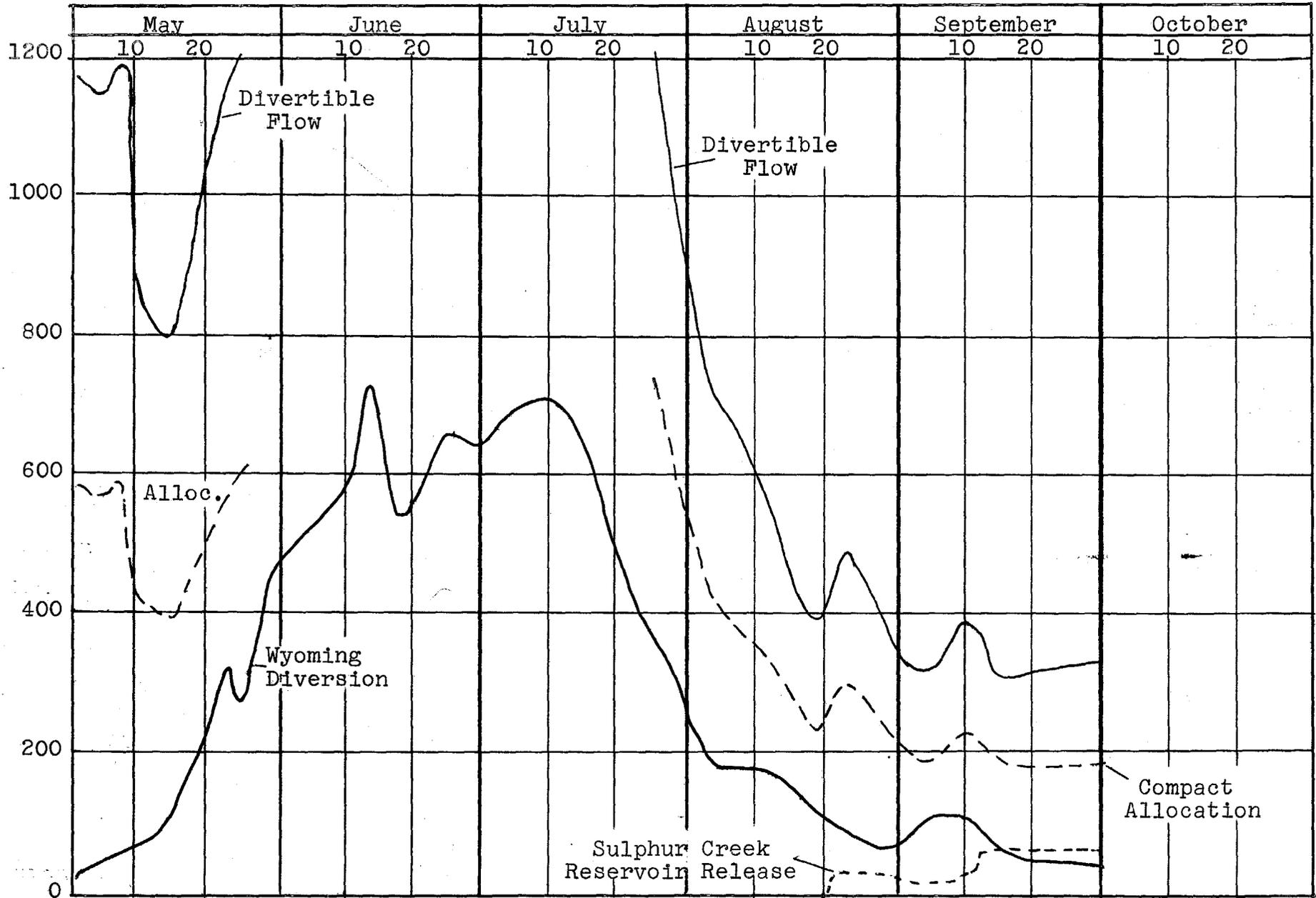


Figure 4

UPPER DIVISION - LOWER SECTIONS  
Cubic Feet Per Second

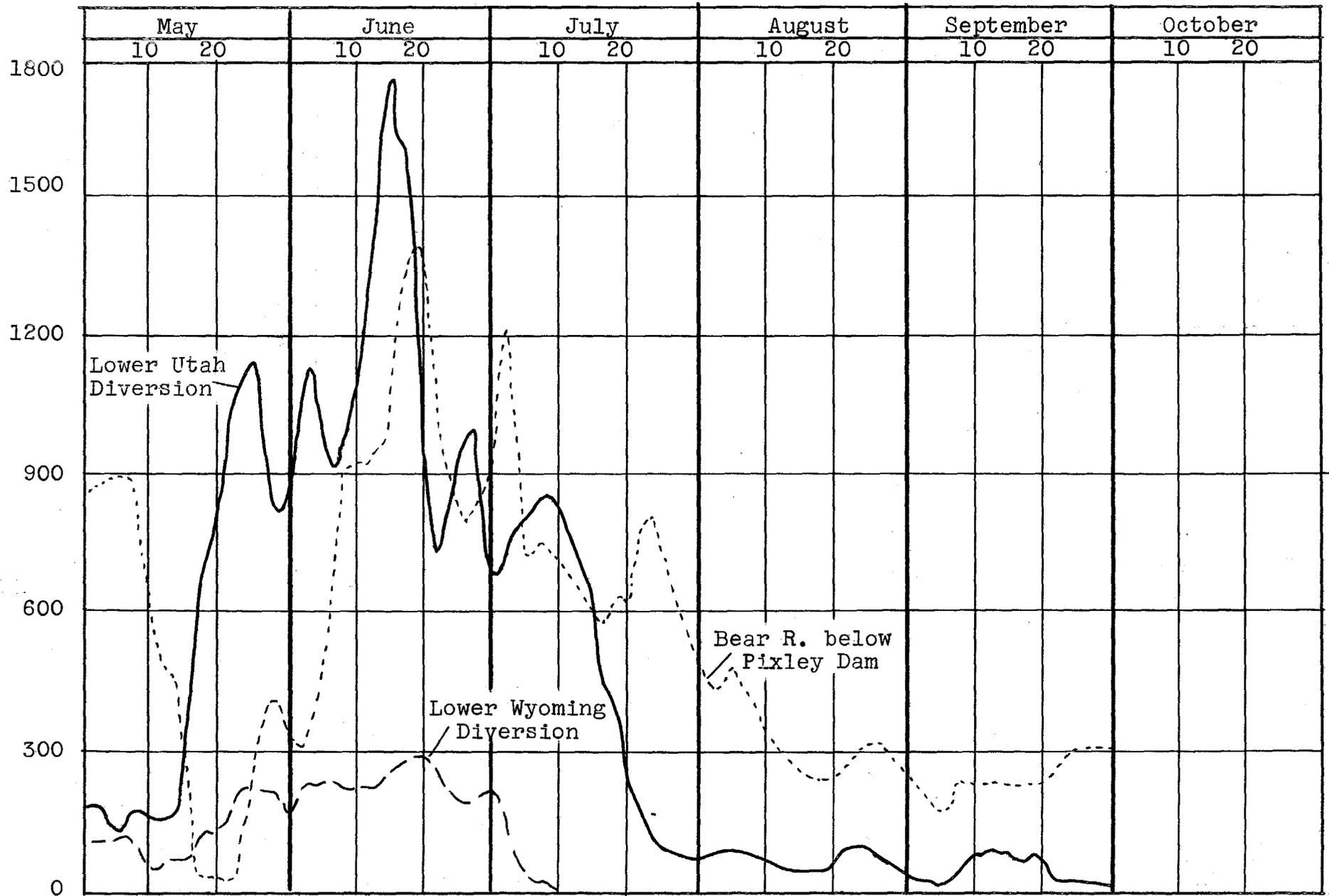


Figure 5-

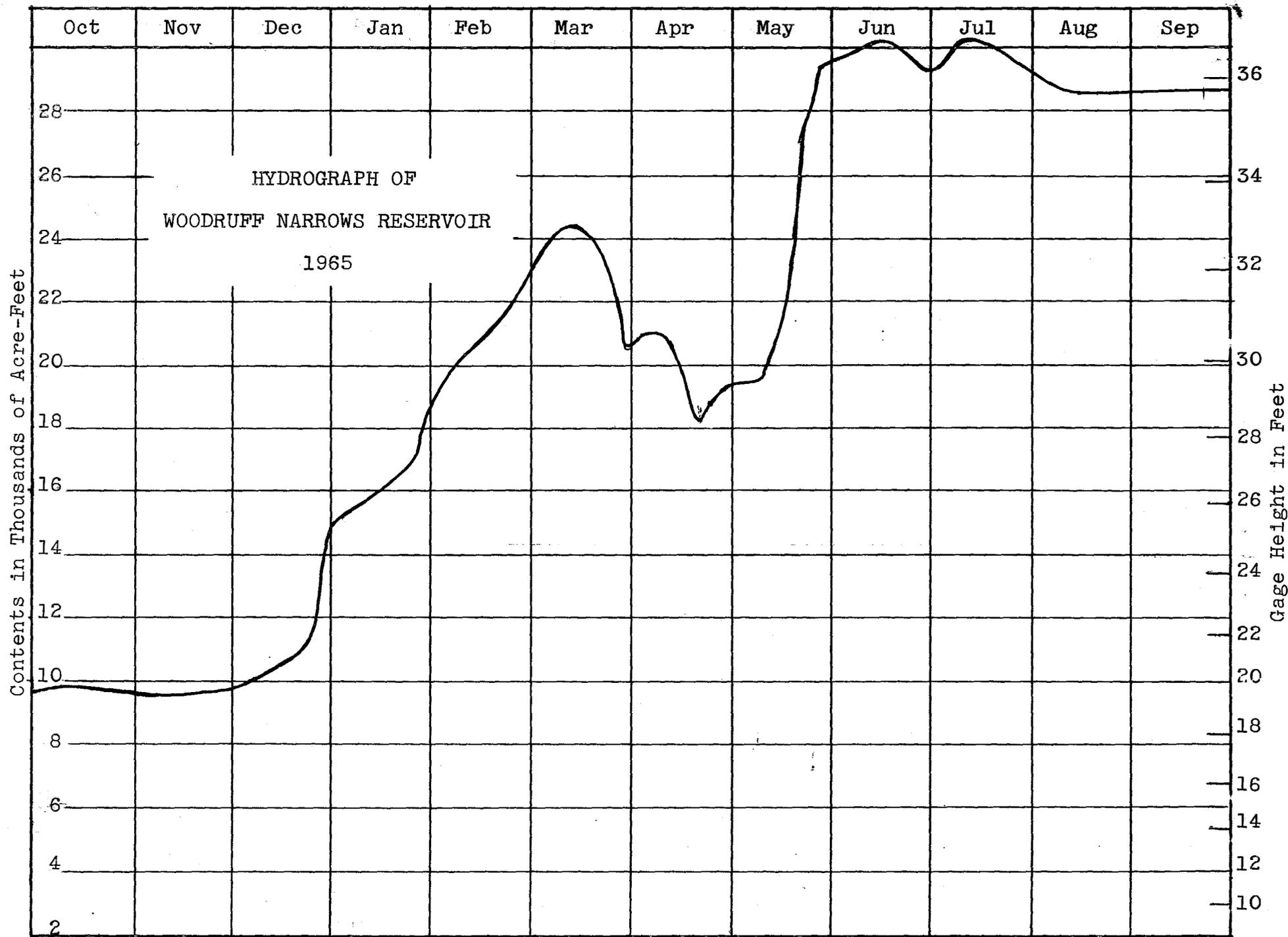


Figure 6

of the difficulty in drying much of the meadow land for haying operations. A uniform rate of flow is now being released to bring the reservoir down to a normal level before spring runoff. Likewise Sulphur Creek Reservoir remained full through most of the season with a small release in August and September as shown in figure 4. We are pleased to report also that Whitney Dam on the West Fork of Bear River was under construction this past summer, but the heavy storm in mid-September forced the contractor to shut down operations before the dam was completed.

Central Division hydrographs are shown in figures 7 and 8 in which again we note that Wyoming Section diversions were well below Compact allocations during the relatively short period of interstate regulation. It is interesting also that the divertible flow was below 870 cfs after August 15, yet the flow passing Border did not get below 350 cfs at any time during the season. In other years, these two criteria of regulation have occurred only a few days apart. But in this wet year, a smaller proportion of the supply was diverted and in part rediverted from return flow, thus a tendency to equalize initial supply and divertible flow.

The high and sustained inflow to Bear Lake is indicated in figure 8, being represented essentially as the difference or spread between the two hydrographs as only a negligible amount passes Stewart Dam.

#### Stream-Gaging Program

Last year at this time the Commission agreed to the installation and operation within the cooperative program of a gaging station on Muddy Creek, tributary of Smiths Fork. Mr. Teichert, Water Division Superintendent at Cokeville, just recently has requested that we consider installation of a supporting station on Mill Creek which enters Muddy Creek a short distance below the gaging station. The two records would help determine the feasibility of diverting Mill Creek water into the proposed reservoir that would be located on Muddy Creek

CENTRAL DIVISION - WYOMING SECTION  
Cubic Feet Per Second

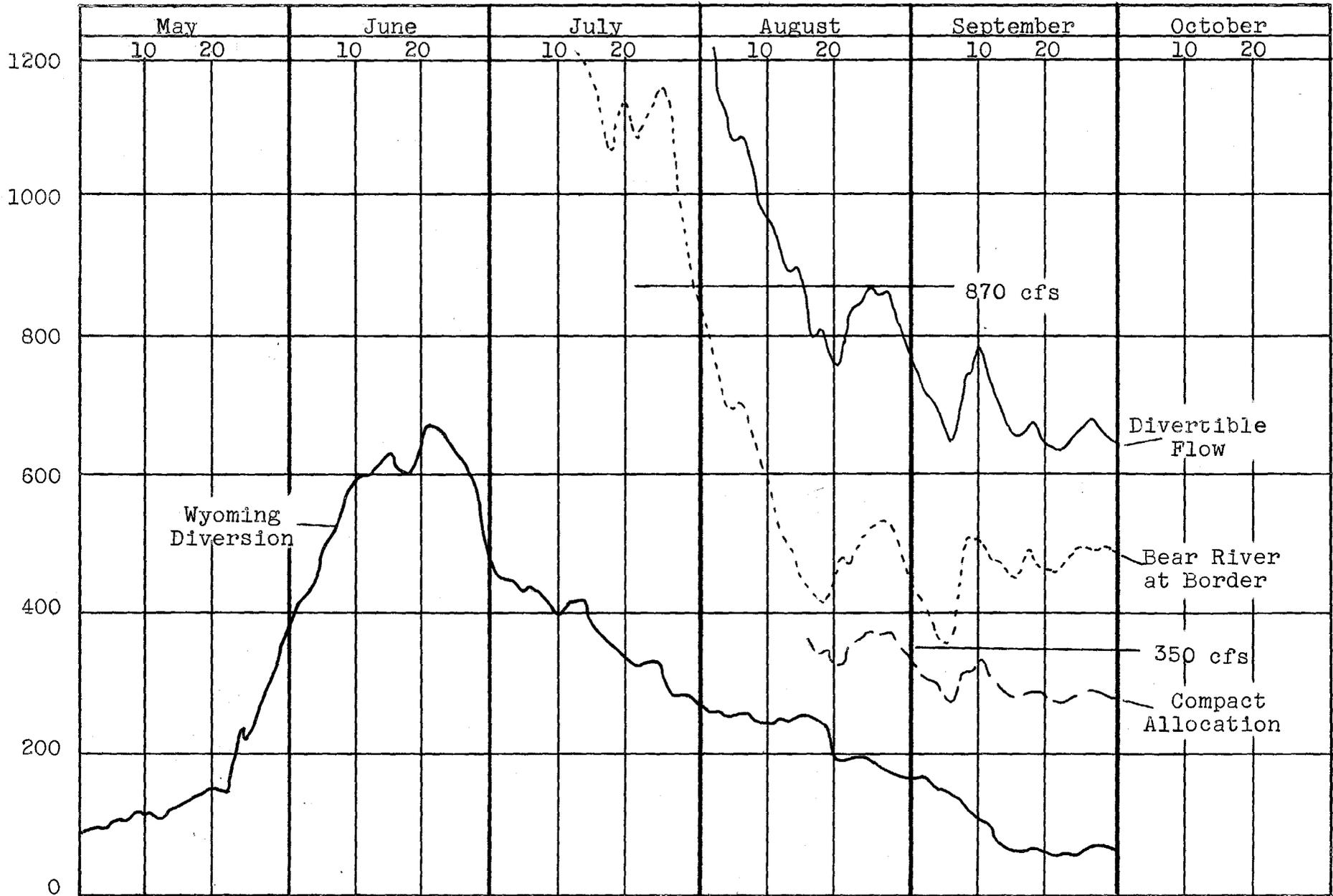


Figure 7

CENTRAL DIVISION - IDAHO SECTION  
Cubic Feet Per Second

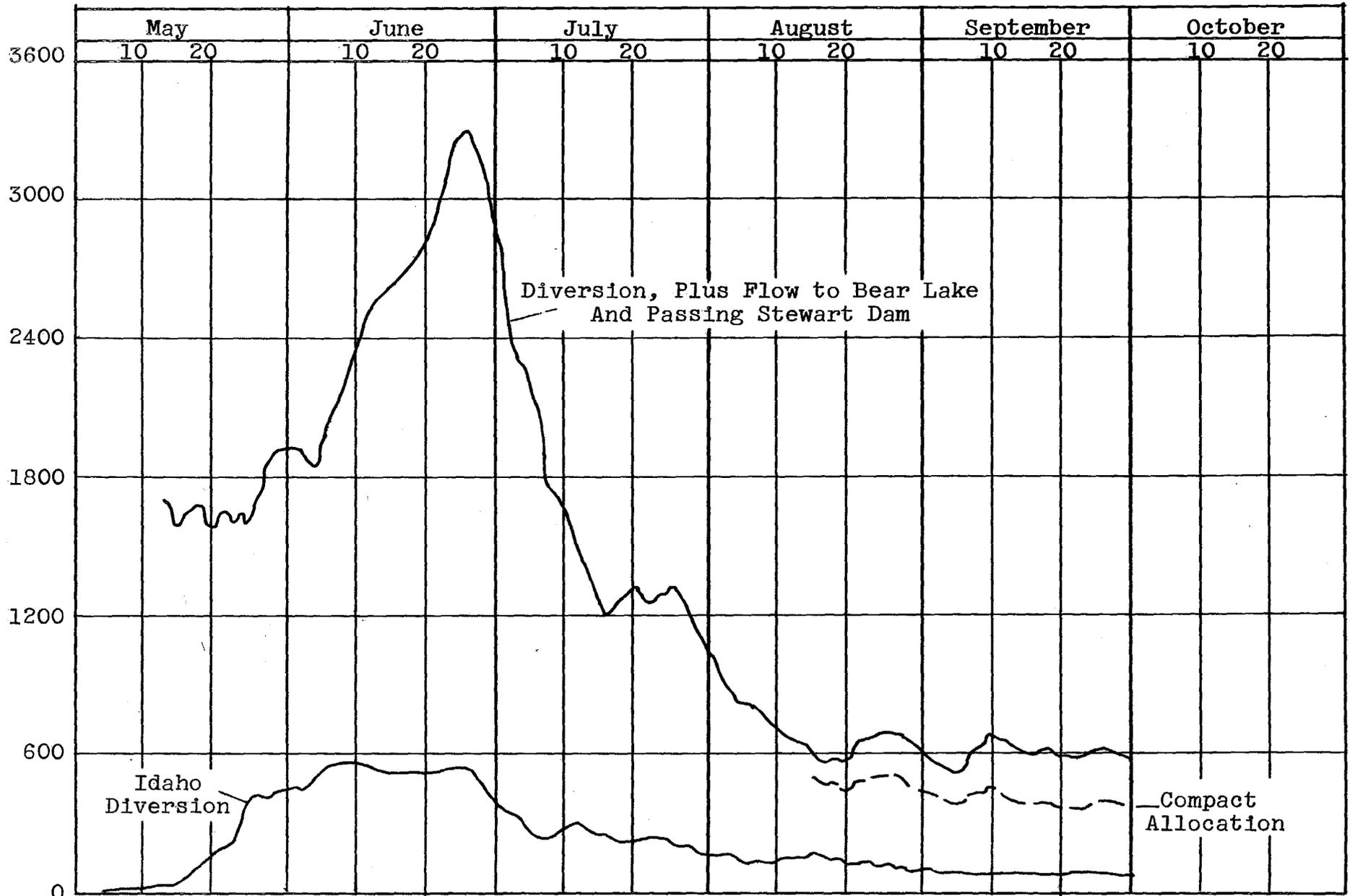


Figure 8

above the confluence of the two streams. Again, as was the case last year, we probably would encounter weather difficulties in the installation at this late date. However, it would be my recommendation that if some material and labor are available from the local users, we approve this request pending suitable conditions for installing the gage.

The Bureau of Reclamation has made funds available for installation and one-year operation of a gaging station on Blacksmith Fork above Hardware Ranch. This station, placed in operation as of October 1, 1965, will supply streamflow data for a proposed reservoir as a part of the second phase of the Bear River Oneida Project.

#### Bear Lake Irrigation Reserve

At our last meeting it was requested that a summary be made of allocated storage to reservoirs constructed under the Compact to determine if the present Irrigation Reserve should be increased as provided in Article V B of the Compact. The present reserve, established by Commission resolution April 30, 1962, includes water below elevation 5,914.15 feet corresponding to 20,000 acre-feet of additional storage.

Article V A, dealing with storage provisions of the Compact, refers to "additional storage" as additional rights granted to store in any water year above Stewart Dam, 36,500 acre-feet of Bear River water. Total reservoir capacity therefore is not a criterion in determining an additional right or in determining additional storage as tabulated in Article V B as it relates to increases in the reserve elevation.

Mr. Bishop stated in the last Commission meeting, April 23, 1965, "The initial allocations for the Sulphur Creek Reservoir were 4,105 (4104), 510, and 1,100 giving a total of 5,715 acre-feet." Applications presented to the Commission April 20, 1959 included one to the Sulphur Creek Reservoir Company for 4,104.13 acre-feet and one for 510.04 acre-feet. Also included was an application

from Elwin Session and others for an enlargement of Sulphur Creek Reservoir in the amount of 2,473.85 acre-feet, making a total of 7,088.02 acre-feet. The difference between 2,473.85 and 1,100 acre-feet is holdover storage (according to Mr. Bishop) and is not chargeable as an additional storage right.

The above instance points out a weakness in our procedure for presenting applications for appropriation to the Commission, especially as it applies to storage rights under Article V of the Compact. After presenting an application, no further action is required of the States as to its final disposition. For instance, copies of applications, other than those shown in the tabulation below, have been filed with the Commission for the J. L. Martin Reservoir (Sulphur Creek) and a reservoir on Yellow Creek. We know that the Martin and Barker reservoirs on these creeks have been constructed to the capacity shown, but we know nothing concerning the status of these other applications. It is suggested that the Commission be notified of final approval, modification, or rejection of all applications affected by additional storage provisions of the Compact.

Following is a summary of additional storage rights as they apply to reservoirs now constructed:

Sulphur Creek Reservoir (Wyoming) . . . . .	4,615 ac-ft
J. L. Martin Reservoir, Sulphur Creek (Wyoming) . . . . .	88 ac-ft
A. J. Barker Reservoir, Yellow Creek (Utah) . . . . .	162 ac-ft
Hatch Brothers Reservoir (Utah) . . . . .	350 ac-ft
Woodruff Narrows Reservoir (Utah-Wyoming) . . . . .	18,240 ac-ft
Sulphur Creek Reservoir Enlargement (Wyoming) . . . . .	1,100 ac-ft
Total Allocation . . . . .	24,555 ac-ft

The total additional storage right is less than 25,000 acre-feet, therefore would not require a change at this time in the irrigation reserve.

Applications For Appropriation

Attached is a summary of applications for appropriation received since our last meeting including a few applications filed prior to the last meeting but not presented.

Appl. No.	Date of Filing	Name	Source	Use	Location	Amount
<u>STATE OF UTAH</u>						
36879	4-13-65	James A. Moore	Open drain	Irrigation	S6 T9N R2W Box Elder	1.0 cfs
36900	4-23-65	LeMoille Harris	Underground	Irr. dom.	S10 T12N R1E Cache	0.1 cfs
36939	5-10-65	Fred Christensen	Underground	Irr. dom. stock	S11 T11N R4W Box Elder	0.1 cfs
36947	5-12-65	Ronald Pitcher	Unnamed drain	Stock	S33 T13N R1E Cache	0.1 cfs
36956	5-14-65	Luther R. Cooper	Underground	Stock	S10 T10N R1W Cache	0.1 cfs
36971	5-17-65	Leon W. Dunn	Underground	Irr. dom.	S5 T11N R3W Box Elder	0.015 cfs
36977	5-18-65	Conrad Nebeker	Underground	Domestic, stock	S20 T14N R6E Rich	0.015 cfs
36980	5-19-65	Leo Ross Walker, Jr.	Underground	Irr. stock	S22 T9N R2W Box Elder	1.0 cfs
36999	5-27-65	Jack R. Clawson	Underground	Stock	S15 T10N R1E Cache	0.1 cfs
37023	6- 8-65	Leo R. Walker	Unnamed spring	Irr. stock	S22 T9N R2W Box Elder	1.0 cfs
37036	6-14-65	Ruth K. Nelson	Underground	Irr. dom. stock	S3 T9N R1E Cache	0.1 cfs
37046	6-24-65	Mich Sekigawa	Drain	Irr. stock	S17 T11N R2W Box Elder	1.0 cfs
37048	6-22-65	Lewis F. Wiser	Drain	Irrigation	S31 T15N R1E Cache	1.0 cfs
37070	7- 7-65	Raymond J. Gunn	Underground	Domestic	S20 T13N R6E Rich	0.015 cfs
37075	7- 6-65	Cache Tractor Imp. Co	Underground	Irr. domestic	S9 T12N R1E Cache	0.015 cfs
37076	7- 8-65	Bureau of Reclamation	Logan, Summit, Bear	Municipal, etc.	S13 T13N R1E Cache	160,000 ac-ft
37077	7- 8-65	Bureau of Reclamation	Blacksmith Fork	Irr. etc.	S4 T10N R2E Cache	50,000 ac-ft
37078	7- 8-65	Bureau of Reclamation	Malad, Bear	Irr. etc.	S21 T13N R3W Box Elder	125,000 ac-ft
37083	7-12-65	C. A. & C. L. Templin	Underground	Irr. domestic	S16 T2N R10E Summit	0.015 cfs
37114	7-21-65	Brigham City Corp.	B. Johnson Spring	Irrigation	S30 T9N R1W Box Elder	0.5 cfs
37115	7-23-65	Dell S. Nichols	Drain	Irr. stock	S14 T9N R2W Box Elder	0.5 cfs
37121	7-23-65	Clifford R. Poole	Underground	Stock	S3 T11N R1E Cache	0.1 cfs
37122	7-23-65	Clifford R. Poole	Spring Creek	Stock, fish	S3 T11N R1E Cache	1.0 cfs (45 a-f)
37138	8- 2-65	Edwin Nelson	Underground	Irr. domestic	S17 T11N R1E Cache	0.1 cfs
37149	8-12-65	Isaac G. Allen	Underground	Stock	S10 T14N R3W Box Elder	0.015 cfs
37156	8-13-65	S.L. Coun. Boy Scouts	Isolated spring	Dom. stock, rec	S2 T1N R10E Summit	0.2 cfs (20 a-f)
37157	8-13-65	S.L. Coun. Boy Scouts	Isolated spring	Dom. recreation	S1 T1N R10E Summit	0.3 cfs (20 a-f)

Applic. Number	Date of Filing	Name	Source	Use	Location	Amount
<u>STATE OF UTAH (cont.)</u>						
37167	8-17-65	Brigham City Corp.	Spring	Irrigation	S30 T9N R1W Box Elder	0.5 cfs
37184	4-24-65	Thomas H. Gittins	Unnamed drain	Irr. stock	S1 T14N R1W Cache	2.0 cfs
37210	8-30-65	Reed W. Walker	Underground	Irrigation	S35 T9N R2W Box Elder	0.1 cfs
37232	9-16-65	A. H. Nebeker	Underground	Irrigation	S4 T14N R6E Rich	0.25 cfs
37243	9-21-65	R. W. Turner, et. al	Underground	Domestic	S20 T13N R6E Rich	0.03 cfs
37255	9-27-65	Willard Peterson	Sheep Creek	Fish culture	S14 T9N R3E Cache	1.0 cfs (20 a-f)
37279	10-13-65	H. Anderson, et. al	Unnamed spring	Irrigation	S5 T13N R1E Cache	60.0 ac-ft
<u>STATE OF IDAHO</u>						
R-40414	3- 9-65	Erwin Van Orden	Worm Creek	Irrigation	S25 T16S R39E Franklin	97 ac-ft
40422	3-16-65	Frank L. Shrives	Unnamed drain	Irrigation	S8 T16S R39E Franklin	0.8 cfs
40539	5-24-65	A. M. Thompson	Underground	Beaver prop.	S7 T11S R44E Bear Lake	1.6 cfs
40586	7- 6-65	Max Bartschi	Stauffer Cr.	Irrigation	S27 T11S R43E Bear Lake	2.0 cfs
40603	7-20-65	Seaborn B. Lamont	Unnamed stream	Irrigation	S16 T16S R39E Franklin	3.0 cfs
40617	7-30-65	W. W. Hubbard & Sons	Spring	Stock	S28 T8S R41E Caribou	0.2 cfs
40636	8-13-65	J. R. Simplot Co.	Underground	Industrial	S15 T8S R42E Caribou	3.0 cfs
40691	9-22-65	Monsanto Co.	Underground	Industrial	S31 T8S R42E Caribou	5.58 cfs
40703	10- 5-65	Myrl Bodily	Underground	Irrigation	S10 T16S R39E Franklin	1.0 cfs
G-40716	10-11-65	W. D. Beers	Underground	Irrigation	S1 T16S R38E Franklin	1.0 cfs
<u>STATE OF WYOMING</u>						
22495	4- 4-64	S. Clyne Curtis	Bruner Creek	Irrigation	T78 T25N R118W Lincoln	0.286 cfs
4999 S.R.	12-24-64	Sylvester S. Lester	Gopher Swale	Stock	S35 T14N R119W Uinta	0.48 ac-ft
5000 S.R.	12-28-64	Verl G. Lester	Grass Swale	Stock	S2 T13N R119W Uinta	0.48 ac-ft
5070 S.R.	12-22-64	S. Cornelison & Sons	Knight Swale	Stock	S17 T14N R119W Uinta	0.48 ac-ft

Of interest are the Bureau of Reclamation applications in Utah on the Bear, Logan, Blacksmith Fork, and Malad Rivers. These filings apply to the second phase of the Oneida Project and are considered as long-time holdover reservoirs. The two larger filings will yield annually much less than the amounts shown but involve low dams in which the construction cost per acre-foot is very reasonable. The first of these two will be located on the Bear River near Amalga and the second on the Malad River near Portage.

Other filings primarily are for underground development in relatively small amounts. A reservoir filing on Worm Creek in Idaho is for a capacity of 97 acre-feet.

(Additional comments by the Assistant Secretary)

I might point out (on the map) the three reservoir sites contemplated by the Bureau. The site for the one on Bear River near Amalga would be north and west of Smithfield. They contemplate diverting Logan River water from a point west of Logan, picking up a little Summit Creek water west of Smithfield, and discharging the flow behind a low dam (near Amalga) to develop a total capacity of 160,000 acre-feet. The Blacksmith Fork site is still undecided, but it looks like the most feasible site will be relatively high near the headwaters (above Hardware Ranch). The Malad River site would be north of Garland about eight miles and near Portage. This site is being considered for 125,000 acre-feet, getting some water from Malad River, some water from the proposed Oneida Canal and possibly from another diversion from Bear River.

COM. JOHNSON: The waters of the Malad River are substandard, aren't they?

MR. JIBSON: At the mouth they have a high rate of salinity, but farther upstream the quality is satisfactory. These reservoirs are part of the second phase of the Oneida Project. The report on the revised first phase is not yet out for appraisal by other Federal agencies and other interested groups. I haven't seen a draft of the revised report, but understand it will divide the water more equally between Utah and Idaho. In doing this, they have had to eliminate some lands in Box Elder County; but in the second phase, these areas will be brought back in.

I think we should have a discussion or a motion on the gaging station requested on Mill Creek.

COM. DAYTON: I move that a gaging station be installed on Mill Creek and that some labor and materials be provided locally to assist.

COM. JOHNSON: I second the motion.

CHAIRMAN LARSON: Motion carried.

COM. BINGHAM: Mr. Chairman, I would like to ask our legal adviser, Mr. Skeen, with respect to the Irrigation Reserve if he concurs in the conclusions drawn by Mr. Jibson assuming that the storage as tabulated on page 5 is correct and that it does not total 25,000 acre-feet. Would it be unnecessary and inappropriate to make any changes at this time?

MR. SKEEN: Yes, I concur in the conclusions of Mr. Jibson based on the language of the Compact contained in the last sentence of paragraph B of Article V, which reads as follows:

As new reservoir capacity above the Stewart Dam is constructed 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: . . .

The table which follows contains a reference to various stages of additional storage. As I read and understand the Compact on additional storage, the Irrigation Reserve would not be increased until it actually reaches the 25,000

acre-foot figure. If we try to say that it reaches it when it approaches 25,000, it would seem to be wrong in the first place, in view of the wording of the Compact. In the second place, it would leave the Compact Commission in some doubt as to how close it has to approach before the Irrigation Reserve is increased. I think Mr. Jibson's report in that regard is correct. Do you agree, Mr. Porter?

MR. PORTER: I agree.

MR. JIBSON: Mr. Chairman, I have one more question to the Commission. Is it agreeable with the Commission, and also with the State Engineers, that they do follow up (as suggested in my report) with information as to the final disposition of these applications for storage?

COM. BISHOP: I think it is agreeable with us. I think you are familiar enough with our procedure. When an application is filed for permit, we issue the permit and then after the reservoir has been constructed, the applicant is supposed to come back to the State with a final proof of construction. We could notify the Commission at the time that the final proof of construction is submitted to the Board of Control.

MR. JIBSON: I think in this case of the Martin Reservoir, it was finally constructed to the 88 acre-feet, but there was another filing for two or three times that much.

COM. MYERS: It was not approved, as I remember.

MR. JIBSON: The point is that I have no way of knowing. There was a second filing that was approved and presented to the Commission, but the dam was not constructed. If it is to be constructed, then we would assume that it comes out of the Compact allocation. We still have a third filing, which is one by Harry Harris for a group on Yellow Creek. I am not familiar with this one though it has not been constructed, but I am wondering if it has been approved.

COM. MYERS: It was approved for 100 acre-feet rather than the 300 acre-feet that was applied for.

MR. JIBSON: It would help us if we could get this followup information.

COM. MYERS: To the best of my knowledge, the information you have here is correct.

COM. BISHOP: This does present some problems for us because sometimes these people don't come in with their final proof of construction for some time after they have completed those reservoirs.

MR. JIBSON: Well, we would probably notice reservoirs that have been constructed through our men circulating over the area.

MR. SKEEN: I believe, Mr. Jibson, it would be a good thing to have a formal resolution adopted by the Compact Commission carrying out your suggestions. The Compact itself does not go far enough to cover it, and there really is no requirement that the State Engineer do anything. Certainly the Compact would not prevent a resolution being passed which would be effectual and cover it. I would recommend that we have a formal resolution.

COM. JOHNSON: Mr. Chairman, if this is still in the discussion stage would Mr. Bishop restate the conditions of a permit and building in Wyoming. You issue a permit and that is prior to the building, and when this permit is issued if it involves this kind of water, it should go over this table, shouldn't it?

COM. BISHOP: It does. We report that to the Commission at the time the permit is issued. At the time it is approved by the State Engineer for construction it is reported to the Commission.

COM. JOHNSON: It shouldn't even be started on until we know about it.

COM. BISHOP: That is right; we submit a report to each Commission meeting.

COM. MYERS: I would like, at this time, to ask Mr. Skeen's opinion of this matter. It seems to me that as long as Wyoming, Utah, or Idaho stays within the Compact allocation then it is up to each State to allocate the water with no questions asked. If they go over the allocation, then I think the Commission should take hold of it.

MR. SKEEN: I think that is correct. The only thing with respect to this Irrigation Reserve is that the progress should be reported as to just what stage the appropriation of additional storage has reached. The Commission has no supervisory or other power over individual States in allocating this additional storage.

MR. HIGGINSON: On behalf of the State Engineer of Idaho, we have no objections. We will be glad to supply the Commission with any reports on any completed reservoirs.

COM. MYERS: At this time, I would like to move that the Commission go on record as favoring or requesting a report from each of the State Engineers of the progress of reservoir construction under the Compact.

COM. JOHNSON: Could we amend your motion and involve the progress of permit and construction?

COM. MYERS: I am sure that no one objects to construction in a State after the permit is formally issued by the State Engineer, and if any State Engineer is not submitting the application or a copy of the application to this Commission, they are at fault, I agree; but I think they all are submitting them.

COM. JOHNSON: Suppose your State Engineer should issue a permit to build a reservoir that would affect your flow of water. I think we ought to know how this fits into the picture. Mr. Skeen is pointing us out a danger. As soon as we reach 25,000 acre-feet, we go up 0.26 foot in the Irrigation Reserve. Any move, even 250 acre-feet, could affect someone the way this is set up. As long as we are going to try to restrain the stock men in their use of water and anything that depreciates the flow of the Bear River, there isn't a single item that shouldn't come over this table. If the State Engineers don't care to go into this small use of water, stock water ponds, etc., why don't we release them of this responsibility by Commission action and set up a committee that will.

COM. MYERS: I think the main thing is that we have to stay within the realm of the Compact as it is written. It very definitely leaves some of the decisions

to the State, and it very definitely puts some of the decisions into the Commission. As I interpret it, this is one of the States' prerogatives—whatever their State Engineer wishes to do as long as they stay within the Compact wording.

COM. BINGHAM: I think it is a matter of practical administration. I agree with what has been said, that it was not the intent of the Compact to encroach upon the autonomy of the State Engineers within their own States to make certain decisions. I think this provision of the Compact was required so that the Commission could be informed so that they could take action if there was a violation. We have, I think, something that can be administered in a practical manner, but it becomes a very delicate line that this Commission does not get into the matter of adjudicating water within the Compact States. I think the practical answer is one of having very close communication with the State Engineers and the actions they take and are pending so that the Commission can be informed. It is my understanding that the Commission is a legal entity, but if it finds that an action taken by the State Engineer does injure the right of one State or the user in any one State, it could make appropriate legal moves to protect that right.

MR. LAMBERT: Mr. Chairman, the State of Utah is perfectly happy to keep the Commission informed of all their actions in regard to these applications. We feel it is the administrative prerogative of the State Engineer to act within the statutory limitations by advertising and by legal appeal, and we wish to keep that intact. Now, as to the stock-watering ponds that have been mentioned, Mr. Bishop and myself have already met on this problem, and we have set up a program to more closely analyze this; and we feel that at the end of our program, we will be able to set up a policy that can be worked on basinwide. We haven't had the opportunity yet to meet with Idaho, but I see no reason why they wouldn't go along with the same procedure we are going along with. We feel that within another year or two, even this stock pond matter will be in a position where we can inform the Commission and keep them up to date on it. Again, I want to reiterate that the State does feel that within the limits of our own administrative prerogatives we should act on these applications in our own right, and we are happy to present that to the Commission for their comment and advice.

COM. SMOOT: I was going to mention that I don't think we will ever get the water pond problem solved until the State Engineers make a report. We have asked for a report several times, and up to now, I don't know if we have received any report. I appreciate the statement that has been made by the State Engineers. I think this is the kind of working relationship they should have, and I think if this is carried out there will be no objections from the Commission. I think this can solve the thing we have talked about many times in regard to the stock-watering pond problem.

COM. MYERS: For Mr. Johnson's information, I would like to point out that the way Wyoming handled this allocation of storage water under the Compact was that the State Engineer called in the two Wyoming Commissioners, and although the Commissioners had no voice in allocating the water under the statutes, the three of us went over it and made the preliminary allocations, and it was agreed on by the members of the Commission and the State Engineer before it was released. We were taken into the Engineer's confidence and felt we were given a very fair voice in it.

CHAIRMAN LARSON: I wonder if it wouldn't be well for Mr. Skeen to tell us again what kind of a resolution the Commission should consider.

MR. SKEEN: I would like, in that regard, to call attention to what the Compact already requires and then make a suggestion. Article X reads:

Applications for appropriation, for change of point of diversion, place and nature of use, and for exchange of Bear River water shall be considered and acted upon in accordance with the law of the State in which the point of diversion is located, but no such application shall be approved if the effect thereof will be to deprive any water user in another State of water to which he is entitled. 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.

If that is done, that would be the equivalent of the permit. It doesn't reach the stage of formal approval of any application, but it puts the Commission on notice that the application is filed. The procedures in Wyoming are a little different than they are in Utah and Idaho with respect to actions on the applications, but it seems to me if a resolution were adopted requiring the State Engineer to report to the Commission the action on the application, whether it is by way of approval or issuance of a permit. Then the third item would be the construction under the application. I think the Commission is interested in all those three steps. If the resolution required the additional two steps which are not already covered by the Compact, I think we would have the problem taken care of and the Commission would be fully informed.

COM. DAYTON: Mr. Skeen, you don't believe the language covers all those steps now?

MR. SKEEN: No, as I read it, it just requires a transmission of a copy of each application to the Commission, but that puts the Commission on notice that the right has been initiated, and I think it ought to be supplemented by a resolution requesting this additional information. I don't think that could possibly be considered an encroachment upon the authorities of the State Engineers in the three States. I think this is simply a matter of giving the Commission information. The matter of approving an application in one State to the prejudices of water users in another State is something that is not covered by the matter we are now discussing. I think a resolution should be worded so it would cover the situation in all three States, and I think it could be readily worded to do that so there is no misunderstanding. I would be happy to prepare a trial draft of such a resolution and submit it to the State Engineers of the three States and also the Commissioners of the three States, and then it could be worked over and put in final form for the next meeting. I don't think it is something we should try to resolve in precise language on the short notice we have had, because it is an important matter.

COM. SMOOT: If Mr. Myers would like to include a request for Mr. Skeen to write this resolution for the consideration of the Commission at our next meeting, I would like to second the motion.

COM. MYERS: I was wondering, Mr. Skeen, if what we want isn't quite as formal as what you have indicated. Perhaps the motion could ask each State Engineer

to submit the progress on each water storage project prior to our annual meeting, that is, each storage project for which the application had been made so they could say whether they had been turned down or approved but not under construction, so that we would know the status at each meeting.

MR. SKEEN: That is the intent that I had in making the statement. I think it should be spelled out quite definitely in the resolution because of the fact that it is not covered by the Compact—it is a supplement to it—and because of the difference in the laws in the three States. The purpose, of course, is to give information to the Commission and the status of progress.

COM. MYERS: I will withdraw my motion with the request that our attorney prepare a trial motion for us with what he has in mind.

COM. SMOOT: I second the motion.

COM. MYERS: I would like him to prepare it with submission to this meeting, if possible.

MR. SKEEN: I want to do a little reviewing of the three laws, and I want to do a good job. I don't think I could do it in time to submit it to this meeting, but I do plan to submit it within the next few weeks so you will have ample time before the next meeting to go over it.

COM. MYERS: That will be acceptable as far as I am concerned.

MR. JIBSON: Mr. Chairman, I originally asked that this apply only to development that is concerned with Compact allocation of storage. This excludes all the stock water rights.

CHAIRMAN LARSON: Is there any further discussion of the motion? Motion carried unanimously.

COM. SMOOT: I have one question, Mr. Chairman, as long as we are talking about this stock watering. I think that from time to time these applications should be submitted or placed before the Commission. I would like to know whether these stock-water ponds are being put on live streams and whether they have an outlet where they are not being used for stock-watering ponds but overnight storage for irrigation. I think these things should be considered carefully by the State Engineer before permits are given for stock-watering ponds.

MR. LAMBERT: Mr. Smoot, I think we are in the process of moving faster toward answering some of your questions.

COM. SMOOT: I am a farmer and a rancher, and I am not going to do anything to keep some farmer or rancher from getting stock-watering ponds that are really stock-water ponds to water stock. When it comes to overnight ponds for irrigation and stock-watering ponds that are way out of proportion to what is needed that wastes water in evaporation and seepage, it is an encroachment on the right of the lower users.

MR. JIBSON: That is all I have, Mr. Chairman, unless there are any further questions on the report.

MR. HIGGINSON: I want to ask one question with regard to Bear Lake. You indicate that the release rate is presently 1,000 cfs. Do you anticipate that this will pull the lake down far enough that you won't have any problem again with this high water and with the resort people calling the Governor?

MR. JIBSON: I anticipate that if it works out the way they hope for it to work out, the lake will fill 0.9 foot higher than it did this spring.

COM. MYERS: Mr. Chairman, I couldn't help but wonder how this would affect this Idaho man who wants to build a 250 acre-foot reservoir. While they are spilling this 1,000 cfs, couldn't he fill his reservoir at that time?

CHAIRMAN LARSON: Yes, he could.

MR. PORTER: Let me answer Mr. Higginson's question in another way. We are just a little bit afraid that we might release too much water and get the opposite complaint next year. We are trying to be very careful; we don't want to release too much and not get it back up again next spring.

MR. JIBSON: There is one additional subject I would like to mention on the improvement of our gaging techniques above Bear Lake. I did not include a statement in my report concerning this subject, but it is my intent to continue to press for measuring devices on many of the canals. In some ways, we have made fairly good progress over the years in gaging, and in other ways, we have made very little progress. A few years ago, it was suggested that I make a recommendation on each individual canal for each State Engineer as to what would be our recommendation for the type of measuring devices needed. We made this recommendation some years ago and submitted it to the State Engineers, but we haven't brought it up to date. I hope before another season to have an up-to-date listing for the State Engineers, and I would like to press for some improvement in gaging practices as soon as practical. We are particularly concerned in the upper Wyoming Section. Here are most of the canals and most of the problems in stream gaging because of the remoteness and inaccessibility of the canals. I would like a better record in the Commission files on those canals than we are getting now. There are several ways of improving and perhaps it is a problem we should take up with the State involved more than with the Commission, but I bring it to your attention today to let you know we are still thinking about these problems. We would still plan to make some recommendations to the State Engineers and see if some progress can be made.

CHAIRMAN LARSON: We are down to the reports of the committees. Do you have anything to report on the Budget Committee, Mr. Smoot?

COM. SMOOT: No, there is nothing further to report.

COM. BINGHAM: I assume the State Engineers will continue their committee investigation.

COM. BISHOP: We are pursuing the stock-water reservoir question, and I am reasonably sure we will have a definite report to submit to the Commission at the next meeting.

COM. BINGHAM: I might just point out, Mr. Chairman, that normally our next meeting would be the third Monday of April. The Budget Committee will have the

problem at that time of trying to anticipate the next two years' needs of the Commission in order that the various States can get this matter in their requests to the legislature.

CHAIRMAN LARSON: Is there any unfinished business?

COM. BINGHAM: I wasn't sure Mr. Jibson was going to include the resolution with the minutes, so I made copies for each Commissioner and attached to that responses from the Secretary of the Interior and members of the Congressional delegations in the three States. This is for your information.

CHAIRMAN LARSON: If there is no further business, we stand adjourned.

(Meeting adjourned at 11:40 a.m.)