

MINUTES OF THE
BEAR RIVER COMMISSION
ANNUAL MEETING
APRIL 19, 1971

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BEAR RIVER COMMISSION

Minutes of the Annual Meeting held in Cokeville, Wyoming
April 19, 1971

The Annual Meeting of the Bear River Commission convened in the Old Gymnasium in Cokeville, Wyoming on Monday, April 19, 1971 at 10:00 a.m. with Chairman E. O. Larson presiding.

Voting Commissioners Present:

IDAHO

Ferris M. Kunz, Montpelier
William G. Jenkins, Malad
J. C. Hedin, Preston

UTAH

Daniel F. Lawrence, Salt Lake City
Paul Holmgren, Bear River City

WYOMING

S. Reed Dayton, Cokeville
J. W. Myers, Evanston

UNITED STATES

E. O. Larson, Chairman and U.S. Representative, Salt Lake City

Alternate Commissioners and Advisors Present:

IDAHO

R. Keith Higginson, Boise (Alternate and Ex-Officio Member)

UTAH

Simeon Weston, Randolph (Alternate)
Robert B. Porter, Salt Lake City (Advisor)

WYOMING

John A. Teichert, Cokeville (Alternate)

LEGAL CONSULTANT TO THE BEAR RIVER COMMISSION

E. J. Skeen, Attorney, Salt Lake City

Others Present:

Wallace N. Jibson, Assistant Secretary, Bear River Commission,
Logan, Utah
Bob Haynes, Idaho Water Resource Board Staff, Boise, Idaho
Edwin C. Schlender, Idaho Water Resource Board Staff, Boise,
Idaho
Wayne T. Haas, Idaho Water Resource Board Staff, Boise, Idaho
Reed Budge, Senator, Soda Springs, Idaho
Evan M. Kackley, Soda Springs, Idaho
C. J. Marshall, Jerome, Idaho
Harold D. Walter, Mammoth, Idaho
John S. Walter, Mammoth, Idaho
Donald J. Watkins, Utah Power & Light, Salt Lake City, Utah
Marion Olsen, Utah Board of Water Resources, Paradise, Utah
Dee C. Hansen, Utah Division of Water Rights, Logan, Utah
Orson A. Christensen, Brigham City, Utah
Bert A. Page, Utah Division of Water Resources, Salt Lake
City, Utah
James G. Christensen, Utah Division of Water Resources,
Salt Lake City, Utah
Ethan F. Axtmann, Utah Division of Water Resources, Salt
Lake City, Utah
S. Bryce Montgomery, Utah Division of Water Resources, Salt
Lake City, Utah
Richard T. Thompson, Western Wyoming R.C. & D. Project,
Kemmerer, Wyoming
Roland Johns, Rancher, Cokeville, Wyoming
Arden Pope, Rancher, Sage, Wyoming
Paul Willmore, U.S. Bureau of Reclamation, Salt Lake City,
Utah
Dean E. Bischoff, U.S. Bureau of Reclamation, Logan, Utah
Clifford Alldredge, U.S. Bureau of Reclamation, Logan, Utah
Connie Borrowman, Secretary, Salt Lake City, Utah

Chairman Larson called the meeting to order and welcomed those present. He asked that each State introduce its members, alternates, advisors, and others. Idaho was introduced by Ferris Kunz; Utah representatives were introduced by Dan Lawrence; and Wyoming was introduced by Reed Dayton. Federal representatives and others present were introduced by Chairman Larson.

MR. KUNZ: We do have some new members. I was reappointed. Mr. Griff Jenkins was reappointed. Mr. Joe Hedin is our new Compact Commission member; and Mr. Higginson is Ex-Officio and Alternate now.

Mr. Kunz also introduced Mr. Edwin C. Schlender, a new member of the Idaho Water Resource Board, Senator Budge, and others from Idaho.

MR. LARSON: I have a letter from the Governor of Idaho on the appointment of the new Commissioners; it is all in order.

(A copy of this letter is attached.)

MR. TEICHERT: I think I should tell you that Floyd Bishop called me this morning and he asked me to represent him here at the Commission meeting today. He expressed his regrets; he is 'socked in', and couldn't get out by plane. He attempted to either drive or come by train last evening, but he couldn't get hold of the other members that were supposed to come with him. So he asked me to express his regrets that he wasn't going to be here.

CHAIRMAN LARSON: I know you will be crowded for time today with this annual meeting and the meeting of the Negotiating Committee, so we will sail right along if it is all right with the Commission.

REVIEW OF MINUTES OF REGULAR MEETING
NOVEMBER 23, 1970

CHAIRMAN LARSON: We will have a review of the minutes of last meeting by Mr. Jibson

MR. JIBSON: Before I give this review, I might mention that we didn't get our Annual Report to the printers yet; our computer let us down this year. So it might be a good idea to mark the number of copies that you need when the roll is passed around this morning. This is the 1970 Annual Report. The report will be mailed to those desiring copies.

I have four or five copies of the minutes that we can distribute around to look at today if you didn't bring your copies with you. We would like these copies returned. I have a brief summary written of the minutes of the regular meeting held November 23, 1970. I will read it over and you can make any corrections that are necessary.

(Mr. Jibson read the review of the minutes, which is attached.)

CHAIRMAN LARSON: I have one correction to the minutes. I mentioned at the last meeting on the water rights one in Happy Valley pipeline, which is in Star Valley rather than Bear River basin. That is still in the minutes and is not corrected in these minutes. It still shows on the last page of the report.

MR. JIBSON: Delete Happy Valley pipeline from your copy, and I will delete it from the remaining copies that I have at the office. I had intended to do that.

CHAIRMAN LARSON: What should we delete?

STATE OF IDAHO
Office of the Governor
BOISE

Cecil D. Andrus
Governor

April 16, 1971

Mr. E. O. Larson, Chairman
Bear River Compact Commission

Dear Mr. Larson:

It is my pleasure to inform you of the appointment of the Idaho representatives to the Bear River Compact Commission.

Mr. William Jenkins of Malad, Mr. Joseph Hedin of Preston and Mr. Ferris Kunz of Dingle will be the official Idaho delegates. Mr. R. Keith Higginson, Director of Water Administration in Idaho is the alternate and ex-officio member.

I want to take this opportunity to wish you success in your deliberations.

Sincerely,

CECIL D. ANDRUS
GOVERNOR

Review of Minutes of Regular Meeting

November 23, 1970

The regular meeting convened at 9:35 a.m. in Salt Lake City with two voting commissioners present from each State. Previous minutes were reviewed by the Assistant Secretary and approved.

In the report of the Chairman, Mr. Larson introduced Thomas O. Parker, Regional Solicitor of the Department of Interior, who will serve as Legal Advisor to the Federal Representative. The Chairman reviewed the Guide for Federal Representatives on interstate water compacts.

Mr. Page reported for the Secretary-Treasurer on financial conditions as of October 31, 1970. An unexpended balance of \$47,873.88 was on hand as of that date that included \$38,102.92 in Treasury Bills maturing in 1971 at \$40,000.

The Assistant Secretary's report reviewed Compact operation in the 1970 season. Water supply was in the normal range and no difficulties in operation were experienced. His report called attention to the need of a resolution raising Bear Lake irrigation reserve (subsequently presented and approved). He also mentioned the need of Commission approval of a reduction in the 1970 budget for which approval later was given in this meeting. Discussion followed reading of the report on water rights and irrigation reserve elevations.

Mr. Skeen reported as Legal Consultant on organization and negotiation of the Bear River Negotiating Commission. He stated that the States may appoint negotiators and proceed with negotiations for modification or amendment to the Compact to the point of making recommendations to the Bear River Commission. He also presented a resolution which would raise the Bear Lake irrigation reserve elevation to 5,914.61 feet.

In further discussion of the Negotiating Commission, Mr. Lawrence stated that allocation of water in the lower Bear River basin could be accomplished in other ways than by Compact amendment or modification, to which Mr. Bishop responded that modification was necessary for Wyoming to get additional storage allocation. Mr. Parker further responded that Federal interests should be recognized in negotiations. Mr. Jibson mentioned that other Federal agencies were represented in Bear River Compact negotiations only toward the end of negotiations.

After discussion on the meeting of the Negotiating Commission set for the next day, the meeting adjourned at 11:00 a.m.

MR. JIBSON: On the last page of my report; this also will be the last page of the minutes. Delete the entire application because it is not in Bear River Basin—Happy Valley Pipe Company.

CHAIRMAN LARSON: Are there other changes or corrections? If not, we will entertain a motion for approval of the minutes.

MR. DAYTON: I move that we approve the minutes as read.

MR. LAWRENCE: I second the motion.

Motion carried.

ELECTION OF OFFICERS

CHAIRMAN LARSON: The next item will be election of officers. First, the Vice-Chairman. As I have explained before, it has been customary that the Vice-Chairman is rotated between the States and generally serves for two years, one each year, separately. Last year, for 1969 and 1970, first Grover Harper was replaced by Mr. Peart; then Mr. Peart served the second year. Before that was Wyoming. So this year it would be Idaho if you follow your past procedure.

MR. DAYTON: Mr. Chairman, I would like to elect Mr. Kunz as Vice-Chairman.

MR. KUNZ: Who was the last Idaho man?

CHAIRMAN LARSON: Well, Cleo Swenson served '65 - '66 from Idaho; and then Reed Dayton served '67 - '68. Then Mr. Peart in '69 replaced Harper; and then Mr. Peart in 1970. So now it is supposed to go back to Idaho.

MR. JENKINS: I second the nomination of Mr. Kunz.

Nomination approved.

CHAIRMAN LARSON: Now the other elective officers, the Secretary and Treasurer—but they have been combined into one office, I think; and Mr. Lawrence has served the past two or three years. That is the next officer to be elected.

MR. MYERS: Mr. Chairman, I re-nominate Dan Lawrence, if he will serve.

MR. KUNZ: I'll second that.

Motion carried.

CHAIRMAN LARSON: I would like to clear up for my own information on the committees; not on the reports of the committees. But

we have two standing committees; the Budget Committee, with Mr. Holmgren of Utah, Mr. Myers of Wyoming, and Mr. Kunz of Idaho. Is that still o.k.? Are you the chairman of that committee, Mr. Kunz?

MR. KUNZ: I don't know if we have a chairman.

MR. JIBSON: I think Mr. Myers served as chairman.

MR. MYERS: I kind of inherited it by seniority, I think. They kept changing everybody around but me.

MR. LARSON: Well, who will I put down for the new chairman? The report calls for the chairman. I have left it to the Committee to choose their own chairman, but if they don't, I will have to appoint one according to the bylaws. Our Operations Committee was Cecil Foster of Idaho, Gordon Peart of Utah, and Reed Dayton of Wyoming. Now which one of you is chairman of that committee? And the special State Engineers' committee—that is a special committee; Keith Higginson, Floyd Bishop, and Hubert Lambert.

MR. JIBSON: Mr. Chairman, we should ask Idaho to appoint a new member to the Operations Committee in place of Cecil Foster, if he is no longer a member.

MR. KUNZ: Mr. Chairman, I would suggest that Mr. Jenkins fill that position.

MR. LARSON: I think that takes care of that.

REPORT OF CHAIRMAN

CHAIRMAN LARSON: Next; report of the Chairman. I haven't any report to make except to advise the Commission that when the minutes are available, the meeting of the Negotiating Committee this afternoon; then I plan to make a brief report to the Bureau of the Budget on the activities of the Committee so that they will be fully informed in case they get letters. ^{Sometimes} ~~Somehow~~ they get letters and wonder what this is all about; what's going on out here. And under my instructions I am supposed to keep them advised, and I intend to do that when the minutes are available from the meeting this afternoon. I need the minutes of some of the meetings that have been held, but I will take it up with Mr. Lawrence in Salt Lake and see if I can get them

REPORT OF SECRETARY-TREASURER

CHAIRMAN LARSON: The next item is the Report of the Secretary-Treasurer.

MR. LAWRENCE: Mr. Chairman, I don't have any Secretarial report; but I have a Treasurer's report. Mr. Page has that.

(Mr. Page distributed copies of the financial report covering the period from July 1, 1970 to February 28, 1971. A copy is attached. He read and discussed this report for the Commission.)

MR. PAGE: Unless there are questions, Mr. Chairman, this is the Report.

CHAIRMAN LARSON: Thank you.

MR. JIBSON: Bert, I assume from the maturity date on these treasury bills that you would prefer making a check to us after June 30?

MR. PAGE: On the contrary.

MR. JIBSON: You still want to move it ahead?

MR. PAGE: I am assuming that by the time that check gets to the office and gets cashed, that will be there. It very definitely should be. The checking account and the savings certificates are in the same bank. The instructions that we have with them are that when they mature they are put back in our checking account.

MR. LAWRENCE: Mr. Chairman, would someone explain the Washington office charge?

MR. JIBSON: I will explain that if you would like. We have a charge of 9% of our total budget that goes to our Washington office for the technical service we receive from them, the printing of water supply papers and general overhead.

MR. LAWRENCE: The Washington office of the Geological Survey?

MR. JIBSON: Yes. In the case of programs for other Federal agencies this cost is 13½%, but in the cooperative program where our stream gaging activities are based on a 50:50 program with States, that cost is 9%.

MR. LAWRENCE: Then, there is a \$660 budget amount and we have expended only half of that. Does this mean that in the next six months the other half will be --

MR. JIBSON: Right. I might mention that of this balance of \$29,529 there will be obligated as of June 30 something over \$19,000; the same as we expended for the first six months of the fiscal year. I'll report further on this in my report.

MR. LAWRENCE: Mr. Chairman, I move the adoption of the report.

BEAR RIVER COMMISSION
 STATEMENT OF INCOME AND EXPENDITURES
 FOR THE PERIOD OF JULY 1, 1970 TO FEBRUARY 28, 1971

<u>INCOME</u>	<u>Cash on Hand</u>	<u>Misc. Income</u>	<u>Approved Budget</u>	<u>Total Revenue</u>
Cash Balance, 7-1-70	\$6,938.83	\$ - - -	\$ - - -	\$ 6,938.83
State of Wyoming	- - -	- - -	13,600.00	13,600.00
State of Idaho	- - -	- - -	13,600.00	13,600.00
State of Utah	- - -	- - -	13,600.00	13,600.00
Interest on Savings and Other Income	- - -	1,475.25	- - -	1,475.25
TOTAL INCOME TO FEBRUARY 28, 1971	\$6,938.83	\$1,475.25	\$40,800.00	\$49,214.08

DEDUCT OPERATING EXPENSE

<u>EXPENDED THROUGH U.S.G.S.</u>	<u>Approved Budget</u>	<u>Unexpended Balance</u>	<u>Total Expenditure</u>
Stream Gaging	\$32,200.00	\$17,887.00	\$14,313.00
Personal Service	5,600.00	1,687.00	3,913.00
Travel	420.00	234.00	186.00
Fiscal Charge	290.00	126.00	164.00
Washington Office Charge	660.00	332.00	328.00
General Office	330.00	160.00	170.00
Sub-Total	\$39,500.00	\$20,426.00	\$19,074.00

EXPENDED THROUGH COMMISSION

Printing Annual Report	\$ 500.00	\$ 500.00	\$ - - -
Treasurer Bond & Audit	300.00	50.00	250.00
Transcription of Minutes	100.00	50.00	50.00
Legal Consultant	300.00	- - -	300.00
Office Expense & Supplies	100.00	89.60	10.40
Miscellaneous	- - -	- - -	- - -
Sub-Total	\$ 1,300.00	\$ 689.60	\$ 610.40

Total Disbursements	\$40,800.00	\$21,115.60	\$19,684.40
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UNEXPENDED CASH BALANCE AS OF FEBRUARY 28, 1971	\$29,529.68
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BEAR RIVER COMMISSION
DETAIL OF EXPENDITURE
FOR PERIOD ENDING FEBRUARY 28, 1971

Voucher
Number

168	State of Utah - Central Printing	\$ 10.40
169	William Dean Kimber	200.00
170	Sonya Ames	50.00
171	E. J. Skeen	300.00
172	American Savings and Loan	5,000.00
173	American Savings and Loan	5,000.00
174	U.S. Geological Survey	19,074.00
175	The Beacon Insurance Agency	50.00
	1st Security Bank - U.S. Treasury Bills	<u>38,102.92</u>
	Sub-Total	\$67,787.32
	Less: Amount above in Treasury Bills	<u>48,102.92</u>
	TOTAL EXPENDITURES PER PAGE 1	\$19,684.40

BANK RECONCILIATION
FEBRUARY 28, 1971

Cash in Bank per Statement 2-01-71	\$ 834.96
Less: Outstanding Checks	<u>50.00</u>
Total Cash in Bank	\$ 784.96
Plus: Treasury Bills*	\$18,744.72
Saving Certificates	<u>10,000.00</u>
	<u>\$28,744.72</u>
TOTAL CASH ON HAND AND IN THE BANK	\$29,529.68

* The treasury bills will mature on June 30, 1971 for \$20,000.00.

MR. DAYTON: I would second that.

Motion carried.

REPORT OF ASSISTANT SECRETARY

CHAIRMAN LARSON: Next is the report of the Assistant Secretary. Mr. Jibson.

(Mr. Jibson passed out copies of the report, which are made a part of these minutes.)

MR. JIBSON: This will be a report on the 1971 Water Supply outlook and Compact operation for the coming season.

(Additional comments concerning the Table at the top of page 2.)

MR. JIBSON: Notice the highest percentage (of expected runoff) at the three representative gaging stations in this table is on Smiths Fork. There has been a tendency to forecast too high on Smiths Fork in recent years, but it is forecast at 176% which, even if the forecast is a little high, will mean that we will have high flows coming from this tributary. This is important in Compact operation in the Central Division, in the allocation of water between this section of Wyoming and the section of Idaho above Bear Lake.

(Additional comments concerning the graph on page 3.)

MR. JIBSON: Notice on this graph (Bear Lake) that I show my usual guess of Lake gain for the balance of the spring which certainly was way off the mark last year because of late runoff that didn't reach Bear Lake. But we have an estimated projection here that, if we pick up from 250,000 to 300,000 acre-feet, would fill the Lake; and I think the Power Company is projecting somewhat similar inflow, aren't you, Don?

MR. WATKINS: We have been releasing water ever since November out there.

MR. JIBSON: I meant to mention that. Water is not being released now, but you have released from 400 to 700 second-feet through most of the winter to make storage space in Bear Lake. This has been common the past few years.

MR. WATKINS: We got up to about 800 second-feet as an average.

MR. DAYTON: Wally, what has been the highest elevation Bear Lake has reached in the past several years?

MR. WATKINS: 5922.92; and that was in 1967. Actually, in 1952 we didn't reach that peak. (5923.38 in 1950)

MR. JIBSON: Is your plan to fill it right up this year if the water is available?

MR. WATKINS: We have projected—I notice you are quite a bit lower than that. (Projection is 1,370,000 ac-ft, 5922.92 ft.) The only reason we shut off is that the inflow above Soda is used to meet requirements down the river. We have been trying to keep the river full since November and still avoid any excess flooding.

MR. JIBSON: Most years the Weather Bureau is a little more conservative on their forecasts than the corresponding forecast of the Soil Conservation Service. This year they are reversed.

MR. WATKINS: We plan on taking about 400,000 acre-feet up here. This is the amount that is projected.

MR. JIBSON: With that projection, it will be one of the largest inflows that we have experienced. Of course, the Lake won't hold that much. (About 300,000 ac-ft to fill.)

MR. WATKINS: We suspect that some of that 400,000 will come down here.

MR. JIBSON: We discussed that on the way over here this morning. If your releases don't have to coincide with high water down the river, it will be to their advantage down there because we are expecting high flows out of the tributaries below Bear Lake, and if you have to release at the same time that high flows are coming out of Cub, Logan, Mink Creek and other tributaries, this could result in extremely high flows through Cache Valley and over Cutler Dam.

MR. WATKINS: There were some high flows there in January and February.

MR. JIBSON: Not as high as they could have been. We had very little frost in the ground. A lot of that water went into the ground, and it could have been much higher.

(Additional comment following Stream-Gaging Program portion on page 4.)

MR. JIBSON: In reality, this does not affect the cooperative program with the Bear River Commission. Since it (High Creek) is a gaging station that will have value for more than one State, I anticipate that if the Research Lab will put up 50% (the same as the Commission pays 50% on other gaging stations) then we will get Federal participation for 50%. But, I wanted to mention it today for those of you who may be interested in this gaging station.

MR. JENKINS: The funds then, wouldn't come out of the budget that we normally are concerned with?

MR. JIBSON: Right. This is a gaging station that we had in operation for a number of years before 1953 and then was discontinued, so picking it up again is not a big job. As a matter of fact, our old rating curve that was used in 1953 can be used today with very little adjustment. We have had a miscellaneous measurement or two up there, and Dee Hansen also has made a few measurements.

(Additional comments at the end of page 5 on water right applications.)

MR. JIBSON: I don't know whether any of you noticed today, or whether you were busy dodging snowflakes when you came over Logan Canyon, that there is a home development project just a short distance this side of the summit.

MR. HANSEN: It's not this site; it is lower down.

MR. JIBSON: But it is for home development, is it not?

MR. HANSEN: Yes. This will take in Garden City and Pickleville.

MR. TEICHERT: Where are they going to pump from?

MR. JIBSON: Dee evidently is more familiar with this than I am.

MR. HANSEN: It will be underground.

MR. LAWRENCE: Mr. Chairman, for my information I would like to ask Mr. Hansen to explain just a little more about where that is.

MR. HANSEN: This is an application that was filed by Bridgerland Development Corporation. They plan to incorporate areas north of Garden City, Garden City itself, and it is contemplated perhaps to take in Pickleville. They would put this all into one city system and pump the water to these areas with the additional water Garden City already has.

MR. LAWRENCE: Could they get the water to my neighbor who has a cabin on the Lake, then? On the west side, in Pickleville.

MR. HANSEN: This area is incorporated.

MR. HOLMGREN: Wally, I would like to know a little more about this 20-acre-foot reservoir 9 miles west of Logan.

MR. JIBSON: This is on a draw directly west of Mendon. It is an intermittent stream according to the map I checked the location on. The water comes out of the west hills. I have a copy of that application here—it is out of Deep Canyon Creek.

MR. OLSEN: Just west and north and out of the Wellsville Mountains.

MR. HOLMGREN: Are you going to use it for irrigation?

MR. JIBSON: I think it will be used for irrigation. This is an intermittent stream, isn't it? The map shows it as one.

MR. HANSEN: No, the reservoir is intermittent. The stream where you take the water from is a live stream and the reservoir would be filled strictly during the nonirrigation season if it is approved. Here again, there is question of whether it will be approved.

(Additional comment at end of page 5 in water rights.)

MR. JIBSON: Sheep Creek is the drainage west of Thomas Fork. These are pumping rights however; not out of the Creek itself. Each of the Wyoming filings is for less than one second-foot. Do you have any other questions on the filings? You will notice that summaries are included as requested at our last meeting so that we can see what the total is from each State, and we break that down further into underground, water and surface water summaries. If there are no further questions. Mr. Larson, this concludes my report.

CHAIRMAN LARSON: Do you have any questions on Mr. Jibson's report?

MR. JIBSON: Mr. Lawrence had brought up the question, Mr. Chairman, whether we need any discussion on the budget breakdown. Let me state again that the 1972 total of \$77,900 is half the amount that was approved for the biennium in our meeting a year ago. The breakdown is the usual type in that we show an allocation for the regular stream-gaging program, which is the bulk of the budget, for \$68,800. The next column is the Compact Assistance item, that will be \$7,800 which includes primarily the cost of my time on the Compact—getting together the Annual Report, the studies that we make, and work that we do with the State Water Commissioners on Compact operation. Then we have an Administrative Allocation or direct expenditure item of \$1,300 that is not spent through the cooperative agreement with the Geological Survey, but is expended directly by Mr. Page for such items as mentioned here—office supplies, \$100; annual report, \$500; treasurer's bond and audit, \$300; transcript of minutes, \$100; and legal retainer fee, \$300. This Administrative Allocation has been constant for the past several years. Likewise, our Compact Assistance item has not varied a great deal. Some years—dry years—it takes more time and effort on Compact assistance than it does in good years. And usually when we have money to turn back on our budget, such as last year, we turned back the entire \$2,000 to the Bear River Commission rather than a portion

of it going back to the Federal side, simply because we had done less work on Compact assistance last year, and our streamgaging activities remained about the same. This year whatever excess we have, which now looks like about \$2,000, will be turned back to the Federal side and the Commission side on about a 50/50 basis. You will notice in the Allocation of Budget that the Geological Survey and the Bear River Commission are 50/50 for stream gaging, but in most years the Survey pays more than 50 percent. This is because we usually have a supplemental Federal appropriation of a small amount to help cover the cost of pay raises, so that when we end the fiscal year, the Geological Survey side is somewhat higher than 50% because of these supplemental appropriations. But our budget initially is always set up on a 50/50 basis for stream gaging. And of course, the Compact Assistance item is a non-matching item which is paid for by the Bear River Commission, also the Administrative Allocation of \$1,300.

CHAIRMAN LARSON: Do you have any further questions, then, on the budget breakdown?

MR. TEICHERT: I was just wondering why the water quality, say at the Idaho State line below here, is checked out of the Riverton rather than your office?

MR. JIBSON: The program that was carried from the Riverton office has not been an FWQA program; but has been a program, I assume, in cooperation with the State. I know that we have collected samples for them on occasion at other sites, and it has been handled out of Riverton. We have made sample collections of Bear River water near Border, and also of Bear River above Woodruff Reservoir, and mailed them to Riverton. But the FWQA program is a Federal program that has been in effect for two years now, and probably will continue. It is the desire of that agency (FWQA) that they be charged only with enforcement of quality standards and that the Geological Survey do the surveillance for them, that is, gather the data. We have a large regional Water Quality Lab set up in Salt Lake City now that covers, I suppose, half the country as far as work; and most of the samples that we collect under the FWQA program go to this lab, while some samples for a particular analysis go to the FWQA lab at Menlo Park, California. But I rather think that this will be a continuing program in which we will serve to collect the data.

MR. TEICHERT: Well, you have personnel coming in here; and it seems like where you have personnel working the Bear River, it is unnecessary duplication.

MR. JIBSON: Possibly there is. We have tried to take over as much of this work as they would like. We have done the same thing for Idaho on occasion in the past. I wasn't sure that they had personnel actually coming in now, because I know they have had a local man collecting the samples at Bear River near

the Border. We have been collecting samples on each routine field trip above Woodruff Reservoir at the highway crossing. We do have in connection with FWQA, stations starting at Bear River near Utah-Wyoming State line at practically every State line crossing in addition to stations in the lower River at the Bear River Bird Refuge, on the Malad River, and several other streams crossing the Idaho-Utah State line. We have about 13 sites in the Basin that are under our surveillance.

MR. LAWRENCE: I was just going to check on the rules. It is necessary to have a motion to receive the report?

MR. LARSON: I think we just receive it and file it if there are no further comments.

MR. LAWRENCE: Could I comment at this time for the record, that Mr. Sim Weston, Alternate Commissioner for Utah in the Upper Bear River has arrived. So we have all three of Utah's Commissioners here, then.

REPORT OF LEGAL CONSULTANT

CHAIRMAN LARSON: Next, the report of the Legal Consultant. Do you have any report.

MR. SKEEN: No report.

MR. KUNZ: Mr. Chairman, there have been a few more Idaho people come in. Mr. Charles Marshall, member of the Idaho Water Resource Board; and Harold Walter and his son, John, from ~~Mammoth~~ Montpelier.

CHAIRMAN LARSON: I assume there are no reports of the Budget Committee, or Operations Committee. The Budget Committee won't come in till we need more money; mostly anyway—and the members of the Special State Engineers' Committee are not here, except Mr. Higginson. I assume you don't have any report?

MR. JIBSON: Mr. Chairman, could I just mention for a few of the new members a word or two about the Operations Committee. This Committee meets on very rare occasions, and this is good. Because it is set up to handle problems that come up during the irrigation season in connection with operation of the Compact. In between regular sessions of the Commission, and since 1961, we have had no problems that have required the calling together of this committee. We are very much aware of the committee—we don't ignore them purposely—but for the new members on the Committee we should explain that they serve as trouble-shooter if and when we need them.

CHAIRMAN LARSON: Next; any unfinished business? Any new business?

MR. JIBSON: I would like to make one more statement here. I had hoped that the weather would be such that between these two meetings we could take a very short field trip out to Pine Creek just 2 or 3 miles east of town. Before the meeting today we ran up there to see what the road was like. It is oiled up to Pine Creek, but the dirt road from there east for about a mile that we would want to travel is fairly muddy. I would like the Commission to see Pine Creek, in view of a ruling that came out of District Court here in 1962 that some of you will remember. The ruling was based on regulation that took place in 1961 during the dry year. I wanted the Commission to see this basin, and perhaps it would still be advisable at least to drive out on the oiled road to Pine Creek and look at the basin from there. This problem may arise again, and probably will arise again if we have another year as dry as 1961. It did not involve directly the Bear River Commission because this Commission is concerned only with the total of diversions in Wyoming and Idaho, and not with any particular diversion, which is the concern of the Division Superintendent and the Water Commissioner. But it does affect us indirectly because the Bear River Compact lists Pine Creek and other tributaries to Smiths Fork in which diversions are included in making up the total of diversions in Wyoming. And the ruling of the Court was that Pine Creek was not a tributary of Smiths Fork and therefore the local water master has no authority to regulate it on a priority basis with Smiths Fork rights. (The Compact states that Pine Creek is a tributary of Smiths Fork.) So, indirectly, the Commission is concerned here, and I think it would be of interest if it is not storming to make a run up there either before lunch or after lunch before the other meeting starts. If you think that you have a full day lined up, we can forego the trip, but I would like to make this suggestion.

CHAIRMAN LARSON: What are the plans of the Negotiating Committee? I think we ought to ask them. Who is Chairman today of the Negotiating Committee? Do you want to comment?

MR. DAYTON: We had planned to meet after this meeting, some time after lunch. There was some talk this morning that some of the groups wanted to get together in committee meetings prior to this Negotiating meeting; and we were going to set the hour when we determined what time we would adjourn from this meeting.

CHAIRMAN LARSON: We are about ready to adjourn now, I assume. We have sailed right through.

MR. DAYTON: I would assume that we could meet back here at 1:30. Would that give you plenty of time, Ferris? Or do you want it cut shorter?

MR. LAWRENCE: Mr. Chairman, how long does it take to make this trip that Wally suggested?

MR. TEICHERT: We could go up in half an hour. It is only a 10-minute drive; about 5 miles out of town.

MR. DAYTON: I might say, Mr. Larson, as for eating arrangements, there is the Red Dog Cafe up here—they are preparing a smorgasbord today, for those who would like to meet up there. There is another cafe on the corner. This will be ready about 12:00.

MR. JENKINS: Would there be any objection to moving the meeting up to 1 o'clock?

MR. DAYTON: Not as far as I am concerned. Whatever the Committee thinks.

MR. JIBSON: We have to drive anyway, to get up to the restaurant. We go up to the highway intersection, and it is only a couple miles farther up if you would like to run up and take a look. But, what is your pleasure?

MR. OLSEN: Could you do that, and eat, and get back by 1 o'clock?

CHAIRMAN LARSON: How long do you expect your Negotiating meeting to last?

MR. DAYTON: It is kind of unpredictable. I don't presume we are going to be over-lengthy today, as far as I know.

CHAIRMAN LARSON: Before we adjourn, I think we should say to these new members that we certainly welcome them here.

MR. OLSEN: Would you rather go to 1:30? If we are going to forego that trip let's meet at 1 o'clock. Let's make a decision whether we want to drive up the road. We have already been there. I was up there this morning with Wally, and it is quite enlightening to see according to what the position of the law was on this.

MR. MYERS: To bring it to a head, I'll move that we go up and see Pine Creek.

? : Why don't we still meet at 1 o'clock?

MR. OLSEN: I don't think we've got time. We need to talk a little bit with our committee. Our technical sub-committee is in session now, and we need to meet with them before our regular meeting this afternoon.

MR. DAYTON: Mr. Chairman, I would move then that if business is taken care of here, that we adjourn and that the Negotiating Committee meet back here at 1:30.

CHAIRMAN LARSON: Well, we've got two motions here. I don't know if either one of them was seconded yet.

MR. JENKINS: I will second one of them—take your pick.

MR. LAWRENCE: I'll take the one Griff doesn't.

MR. MYERS: I was just trying to get a little action. I move that we take the Pine Creek trip just to bring it to a vote, and then we will know where we are going; then we can set the time to get back after.

MR. LAWRENCE: Second that motion.

CHAIRMAN LARSON: You have heard the motion. Those in favor say 'aye'.

Motion approved.

MR. HIGGINSON: I have a question if I may before we adjourn. In connection with the 1972 budget, as I see your figures, the Bear River Commission, if divided equally among the States, would be \$14,500 per State. So we do have about a \$10,000 bank account. The question I have is what is going to be each State's obligation for new funds to the Commission this next fiscal year? I think you should decide that so that I can budget my funds in the office.

MR. JIBSON: In the past, we have used this bank reserve as a carryover in case of running short in a particular year, which we have done on occasion, and have budgeted each State for the full amount regardless of the balance in the bank account. I don't mean to say that this has to be done—you have some \$8,000 or \$10,000 in the bank account.

MR. LAWRENCE: Could I ask Keith to repeat that figure?

MR. HIGGINSON: \$14,500.

MR. LAWRENCE: So it is \$1,000 increase. This would be for FY '72? Some of us have already got our appropriation.

MR. JIBSON: This isn't an increase, Dan, over what was approved a year ago.

MR. LAWRENCE: Well, from what Keith says, though, it is an increase over 1971. Has the Commission already approved an increased assessment to the States?

MR. MYERS: Whatever we approved was approved a year ago.

MR. LAWRENCE: And Keith doesn't know that we have; if we have. When would that have been?

MR. JIBSON: It was April of 1970 in which we presented the biennial budget, 1972 and 1973, and this was approved. We have

assumed that by approval, the Commission approved an increase in the allocation to the States. I have a copy here of the minutes of that meeting. In my report, I gave the adjusted budget for 1970-71 biennium and a proposed budget for 1972-73 biennium.

MR. LAWRENCE: But did it also assume that we would increase our assessment or draw from reserves?

MR. JIBSON: We didn't discuss this. We probably assumed that, as in other years, it would be an increase in the assessment. But, in the report of the budget on pages 15 and 16 of the minutes, I would like to quote:

(Mr. Jibson read from the minutes as follows:)

"MR. BISHOP: We are talking about a proposed increase per State from \$27,200 to \$29,000 (in which I concur). Our increase on Compact Assistance is from \$17,200 to \$18,200 or, for the entire Commission, \$1,000 increase.

"MR. LAWRENCE: This is about a 7½% increase isn't it?"

(Then after a little more discussion, that most of the increase on it was due to the increase in salaries.)

"MR. MYERS: What about the surplus? How is that running? Did I hear someone say that by the end of this fiscal year we would have \$25,000?

"MR. JIBSON: Bert reported about \$25,000 of which something over \$18,000 will be obligated for the balance of the fiscal year to be paid to us; so we have in the neighborhood of \$7,000 over and above any obligations.

"MR. MYERS: How does that compare with the immediate preceding year?

"MR. JIBSON: We have been gaining a little each year, and as far as I am concerned, this is good business to have some carryover. On several occasions, Mr. Myers, when we have had some surplus at the end of the year, we have turned it back in spite of the fact that supposedly no Federal agency turns money back. We have just refrained from billing for it, and this has occurred in three or four years in the past five or six. Whatever surplus has been left over at the end of the year has been left in the Commission account, so you are gaining a little each year. One year also, as you will recall, we had to dip into this surplus to the tune of about \$3,000 to get us through the fiscal year midway in the biennium. But, in general, we have been picking up a little each year.

"MR. MYERS: Nobody would rather hold the line from year to year any more than I would, but we have to be realistic in these things; and with that in mind I would move that we approve this proposed budget.

"MR. KUNZ: I second the motion."

(End of quote from minutes of April 1970 meeting.)

MR. JIBSON: So there was no discussion of whether we would take any out of the carryover reserve.

CHAIRMAN LARSON: Any further comments?

DR. KACKLEY: Inasmuch as I have mentioned the Bear River Compact Commission in a letter to the Federal Power Commission, I thought I had better put in the record what I have said about the Bear River Compact Commission to the Federal Power Commission. I would like to ask the privilege of reading this little brief. It won't take very long. What prompted this so quickly was that several days after the Compact meeting one of the States came out definitely for exportation of water from Bear River basin and was going to pay for development by Bear River water. It also concluded that Bear River basin could use all that water. Under the circumstances, I felt if we could use that water all we were going to do was to drain our basin further and come into more trouble, and that there should be an alternative to pay for this other than selling our waters to another basin. This note was dictated originally about February 8 and corrected on March 5, to the Federal Power Commission. It is directed to the Division in charge of relicensing hydroelectric power plants.

(Dr. Kackley's letter is attached.)

DR. KACKLEY: As I understand, the Federal Power Commission has the right of relicensing for a limited period, or to sell them to someone else, and set a price on the amount. They have a right on the water consumed; to look at it again, if they are properly reimbursed. Gentlemen, I am submitting this to you. I don't ask for any compliments. I have nothing against Utah Power & Light. I have been very good friends. I wrote to the President of the Company, and I have regretted this very much. I add this as a copy for the minutes of the board.

I would also like to read what I wrote to give last year at the last meeting about Utah Power, as follows: "Utah Power & Light Company, which operates and controls virtually all of the Bear River basin, including Bear Lake, has, through controversy, arrived a point where its position is clearly defined. This is wanting to control the system as it has in the past and spin its generating wheels as it always has. The Company has refused in the present controversy to change its attitude that

KACKLEY

OLD WILLIAMSBURG

Wayan, Idaho 83258

Soda Springs
Idaho 83276

March 5, 1971

2323 Ellis Avenue
Boise, Idaho 83702

(THIS LETTER WITH SIGNIFICANT ADDED INFORMATION
SUPERSEDES THE LETTER OF FEB. 8, 1971. For con-
venience, these added items are underlined.)

Federal Power Commission
Washington, D. C.

Attention: Division in Charge of Relicensing of Hydro-electric
Power Plants.

Gentlemen:

Re: Relicensing of the power plants owned by Utah
Power & Light Company of Salt Lake City, Utah on
the Bear River in the States of Utah and Idaho.

The five main power plants owned by Utah Power & Light,
namely Alexander, Grace, Cove, Oneida and Cutler, are up for
licensing and/or have been temporarily licensed, or will be up
for licensing in the near future, under provisions of the Fed-
eral Power Commission. Hearings have already been conducted
on some of these plants.

As a former member of one of the boards of Idaho, I had
occasion to take part in some of the hearings.

During the past two years the Idaho Water Resource Board
(IWRB) has appointed a Negotiating Team to negotiate with the
States of Wyoming and Utah under provisions of the Bear River
Interstate Compact of which, of course, the Federal Government
is a party to as well.

On September 29, 1970 this Tri-State Negotiating Committee
met in Montpelier, Idaho. I am enclosing the draft minutes of
this as Enclosure #1.

A part of Enclosure #1 is a statement by the Utah Power &
Light Company made at that Montpelier meeting on the Company's
operation of Bear River. This is Enclosure #2 and is part of
the minutes of the Montpelier meeting.

On page 3 of Enclosure #2, the net revenue the Utah Power & Light receives from the operation of the five plants is, in an average year, \$400,000.

May I point out to the Power Commission that Utah Power & Light enjoys what amounts to a complete monopoly of Bear River for power from its beginning to its entrance into Great Salt Lake, including Bear Lake. Bear River is the largest river flowing into the Great Basin, and is also unique in that it is the largest river in the Western Hemisphere which does not reach the ocean. The Bear River Basin comprises about 7,100 square miles in the States of Idaho, Wyoming and Utah, and is 500 miles long. Bear River is contiguous naturally and by storage projects of Utah Power & Light with Bear Lake, with a lake area of approximately 100 square miles.

Active storage of Bear Lake controlled by Utah Power & Light is approximately 1,250,000 acre-feet.

About one-third of the active river flow is consumed annually, principally for agriculture. This is in the entire length of the river through the three States. However, under the terms enjoyed by Utah Power & Light, Bear Lake, which is midway approximately in the length of the river, the storage in Bear Lake which is controlled by Utah Power & Light, subordinates practically all the upper half of the river. Also 900,000 acre-feet of unconsumed water enters into Great Salt Lake due to electric power rights.

Actually, with the storage rights in Bear Lake and the unconsumed flows entering Great Salt Lake, Utah Power & Light controls over 2,000,000 acre-feet of water on Bear River. On this water, with the report of Utah Power & Light of only \$400,000 net profit, the Power Company with the subordination of the river to its uses is only making less than 20¢ a year per acre-foot of water that it controls. In a breakdown to months, this is less than 2¢ a month per acre-foot.

With reference to Enclosure #1, your attention is invited to page 1, 3rd paragraph, in which Utah Power & Light stated that power output from Bear River was only equal to 8 to 14% of the entire production of their electrical output and that this was decreasing in percentage.

Enclosed as reference #3 is a clipping from the Caribou County Sun, Soda Springs, Idaho of October 22, 1970 with the lead article in the center of the paper. You will note in the first paragraph that from approximately 5,000 acres of land, a gross return of three million dollars for potato production has been realized. Certainly this would give a net far in excess of what Utah Power & Light, by their own admission, is taking

from a virtual monopoly of the entire Bear River including Bear Lake, and with only a return of \$400,000. In actual consumption of water those 5,000 acres that produced a gross of \$3,000,000 only needed 10,000 acre-feet of water, allowing for 2 acre-feet of return flow of water per acre irrigated. Per acre, this need breaks down to less than 4¢ of what the Power Company is making net on 2 acre-feet of water a year.

It is difficult to imagine a river that is producing so little for a basin.

A net return of only \$400,000 certainly places a very low value upon Utah Power & Light's power plants etc. on the Bear River.

Utah Power & Light may raise the question that its power rates are not high enough. In 1964 the Company did this in a hearing before the Public Utilities Commission in Idaho. In the findings of the Idaho Hearing, notation was made of the Power Company's procedure of "transferring revenues from Idaho to Utah and Wyoming," which was severly criticized and prohibited. This practice would be consistent with Idaho citizens financing plants outside of their own state.

The Commission denied any increase in rates to the two Power Company customers operating electrical phosphate furnaces then in Idaho; however, it did raise the rates, except to the U.S. Atomic Energy Commission, 8.5%. The Atomic Energy Commission was raised 7.5%.

I am enclosing as Enclosure #4 a clipping from the Wall Street Journal of December 10, 1970. Again evidently to finance outside state production, Utah Power & Light is going to ask for a rate increase.

In Idaho alone, on the main-stem of the Bear River, there are 100,000 acres of arid land and many acres besides needing supplemental water to insure crops. On November 27, 1970 the head of the Utah State Water Resource Board said officially:

"Although all the Bear River water can be used in the Bear River Valley, selling some of that water for industrial uses in Salt Lake Valley would help to pay for storage facilities which should be built."

This is full admission that the Bear River Basin of the three States is short of water.

Utah Power & Light has resisted behind the scenes every effort to subordinate water upstream for higher priority uses such as agriculture, municipal and industrial, etc. This with but a net return of less than 2¢ an acre-foot per month, on a virtual monopoly.

In the consideration of the relicensing of these plants by the Federal Power Commission, may I strongly urge that consideration be given to the low benefit to the Bear River Basin; by the operation of these power plants and the monopoly upon the water, and that subordination to upstream use be made contingent if relicensing takes place.

As a further consideration, may I ask that consideration be given to the taking over by another agency, probably under the Bear River Compact Commission, of these power plants, of course with proper reimbursement for the value of the depreciated power plants, separation, and upon a basis that the entire river only produces \$400,000 net a year.

These plants would, under another agency, furnish sufficient income to develop the water-short Bear River Basin itself. This development would greatly increase the tax base of the entire Bear River Basin in the three States over any tax base that would be lost by the taking over of the plants by an agency.

I thank you, and remain,

Very truly yours,

Evan M. Kackley

EMK:pm

Enclosures

cc: Gov. Cecil Andrus, Boise, Idaho
Members Idaho Washington Delegation
Dist. 32 Legislative Members, Boise, Idaho

the River is fundamentally a power river and that all else is more or less secondary and of little consequence." (They asked for a 50-year relicensing the other day in Boise.) "It has even refused to consider supporting subordination of water to higher priority or to actively be engaged in any upstream development. This is a regrettable turn of events, for as the years moved ahead to 1935-62, Utah Power & Light kept pace with the changing times. But with the publication of these new forests and proposed lands in 1962 the position of UPL regressed slowly and then suddenly to the position of the days of the Dietrich and allied Decrees went into effect. It is difficult to comprehend this in 1970. Again, let me state that this is regrettable, as in general no one is too anxious to have Utah Power & Light removed from the River. If the Company will recognize that the concept of water usage has changed through the years during which they enjoyed the River almost solely, but the present adamant attitude spells nothing but _____."

MR. OLSEN: We are crowded for time. We have to keep on here.

MR. LAWRENCE: Mr. Chairman, in order to clear the record; I move that the budget assessment to each State for the budget year next be increased from \$13,600 to \$14,000. This is about half of the increase in the budget; and that the other be absorbed from the reserves now on hand.

CHAIRMAN LARSON: I take it that action on any increase should be taken up at this meeting and not ahead of time, because of the nature of how the money is raised by each State. Is that right?

MR. LAWRENCE: As I interpreted the reading of the previous minutes, even though the budget itself was approved, it was unclear to me as to whether that would be taken by an increase in assessment to the States and leaving a reserve exactly, or whether part was to be drawn. And to clear that, this is why my motion. In the State of Utah we have difficulty getting a 7% increase. I think it would be a little more consistent with our regular budget, to go only about half that way. So that is why I moved the \$14,000 flat instead of the \$14,500.

MR. JIBSON: This would amount to a \$1,500 reduction in total from what I show in my breakdown of the budget.

MR. LAWRENCE: Well, my motion is that we pull the rest from the reserve.

MR. JIBSON: Right. I just want to explain the amount. Three times \$14,000 is \$42,000; and we budgeted for \$43,500 so it is \$1,500 below the estimate. (From State appropriation)

MR. MYERS: Then you have a \$7,000 reserve; so you are alright.

MR. KUNZ: I'll second that motion.

Motion carried.

MR. HOLMGREN: I am looking at the clock, and I don't know if this is proper, but I would like to make a motion that we move the hour of our meeting of the Negotiating Committee up to 1 o'clock and that we don't go up and see this dam project now, and possibly we can see it after the meeting this afternoon. I just don't think we are going to make it.

CHAIRMAN LARSON: Mr. Dayton, you made a motion; but I don't think it was seconded.

MR. MYERS: I will second that motion; because the situation has changed and my original motion a vote was never called for; so we don't know where we stood anyway. So let's vote on yours.

CHAIRMAN LARSON: You have heard the motion. It has been seconded. Those in favor say 'aye' to meet here at 1 o'clock, with no trip, I take it?

MR. HOLMGREN: Well, if in the afternoon we finish early enough, then if some people want to go up there, I would certainly endorse it.

CHAIRMAN LARSON: Any comments?

Motion carried.

CHAIRMAN LARSON: Well, I take it I can adjourn the meeting.

Meeting adjourned at 11:30 a.m.

REPORT TO BEAR RIVER COMMISSION

April 19, 1971

Wallace N. Jibson
Assistant Secretary

1971 Water Supply and Compact Operation

Water-Supply Prospects

The 1971 water supply outlook for Bear River watershed is excellent. Forecasts of streamflow for the irrigation season range over various parts of the basin from 138 to 208 percent of a 15-year average. Heavy snowpack on such tributaries as Woodruff and Big Creek in the Upper basin and on Cache Valley streams presents a potential of much higher than average peak flows depending on temperature and precipitation during the next few weeks.

Moderately high streamflow has occurred this spring with melting of the lower elevation snowpack, but cooler weather this past week has decreased the flow in most areas of the basin. This is the usual pattern in which initial peaks are followed by a period, often extending several weeks, of only moderate runoff prior to melting of the high-elevation snowpack.

Measured streamflow for the irrigation season with forecast for this year is shown in the following table at gaging stations representative of the Upper, Central, and Lower Divisions of the basin. Forecasts are taken from the April cooperative Water Supply Outlook prepared by the Soil Conservation Service. These forecasts are slightly lower than those prepared by the National Weather Service.

Streamflow in Acre-Feet

April-July

	<u>Average 1953-67</u>	<u>1970</u>	<u>Forecast 1971</u>	<u>Forecast as Percent of Average</u>
Upper Bear River	106,000	108,000	146,000	138%
Smiths Fork	108,000*	104,000*	190,000*	176%
Logan River	99,000	113,000	164,000	166%

*April-September

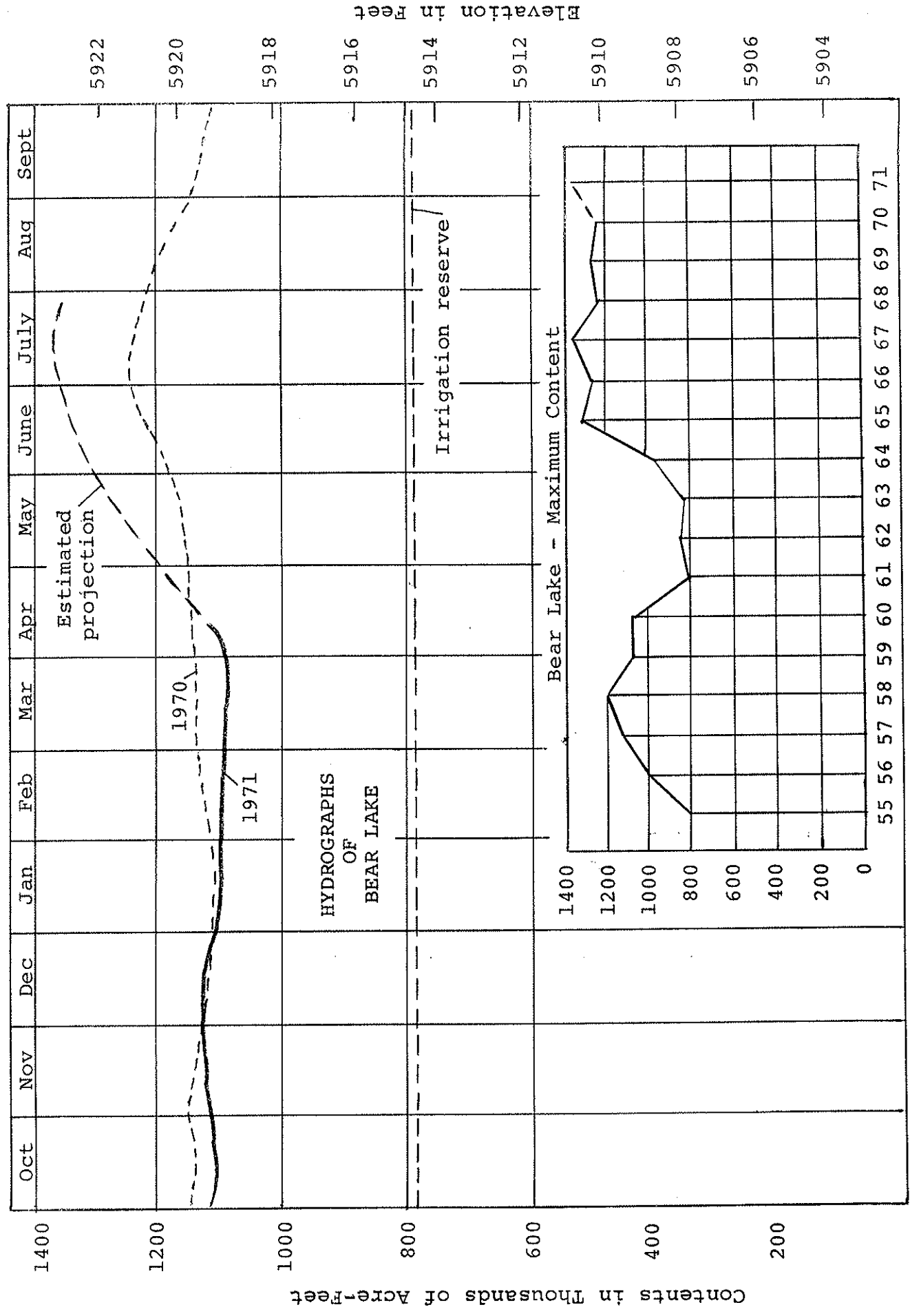
Storage

Bear Lake is now storing about the same amount as last year at this time (see page 3) with usable content stored as of April 14 of 1,122,400 acre-feet at elevation 5,919.39 feet. Bear River inflow has declined somewhat with cooler weather and amounted to 1,270 cfs on April 14. All inflow is being stored and with above-normal snowpack, a potential gain of 250,000 or 300,000 acre-feet is quite possible and would fill the Lake if all storable supply is diverted to storage.

Woodruff Narrows Reservoir filled in late January, and Sulphur Creek Reservoir was almost full at our last visit. Whitney Reservoir will fill easily with the heavy snowpack in that area, and Porcupine Reservoir in Cache Valley is reported full.

Compact Operation

Some progress is being made in the Upper Wyoming Section, Upper Division, in the installation of Parshall measuring flumes. J. W. Myers will have a number of flumes in operation this year on their company's canals. We plan to install a stilling well and continuous recorder at each Parshall flume installation.



Contents in Thousands of Acre-Feet

Elevation in Feet

Stanley Nate, Wyoming water commissioner in the Central Division, has resigned this year due to full time employment at Logan. We express our appreciation to Stan for a fine job that extends back to the difficult years of 1960 and 1961. Applicants for the position are being considered by Mr. Teichert, Wyoming Division Superintendent.

Stream-Gaging Program

Utah Water Research Laboratory at Logan and the Utah State Engineer have each expressed an interest (for different reasons) in reactivating a gaging station on High Creek near Richmond, Utah. Need of this station by the Research Lab is in connection with cloud-seeding operations and research which affects the entire basin. Therefore, if funding of 50 percent of annual operational costs can be secured from one or both of these cooperators, it will be our recommendation that the station be reactivated with Federal participation in the cooperative program.

Budget

Budget estimates for the 1972-73 biennium were approved in total at the last annual meeting, April 20, 1970. A breakdown for the 1972 fiscal year, shown on page 6, obligates one-half of the biennial budget. Continuation of a surveillance program for the Federal Water Quality Administration, for which we receive about \$3,000 annually, is contemplated in arriving at these estimates.

It is expected that about \$2,000 of the 1971 fiscal-year budget will not be required, so the Commission share of about \$1,000 will remain in our bank account.

Applications for Appropriation

Copies of filing information supplied since our last meeting are summarized on pages 7 and 8. Total of filings by State and by source is shown at the end of each State summary. A relatively large filing for 30 cfs in Cache County, Utah is for fish culture and would be non-consumptive in use. A 20-acre-foot reservoir, also in Cache County, is located about 9 miles west of Logan on an intermittent stream. The pumping right for 10 cfs in Rich County is for a home development project on the Logan Canyon Highway southwest of Garden City.

Idaho filings include two moderate-size pumping rights, one near Georgetown and the other on Sheep Creek, a few miles east of Dingle. Each of the Wyoming filings is for less than one cfs.

BEAR RIVER PROGRAM

DETAIL OF BUDGET

Fiscal Year ending June 30, 1972

April 19, 1971

<u>Detail of Budget</u>	<u>Allocable for Stream Gaging (Cooperative Agreement)</u>	<u>Bear River Compact Assistance (Cooperative Agreement)</u>	<u>Administrative Allocation (Direct) Expenditure)</u>	<u>Total Budget</u>
Personal Services	\$51,214	\$5,962	\$ 0	\$57,176
Travel & Subsistence	4,800	450	0	5,250
Fiscal & Administrative	3,098	352	0	3,450
Washington Office Service	6,190	704	0	6,894
Office & Supplies	3,498	332	100	3,930
Annual Report	0	0	500	500
Treasurer's Bond & Audit	0	0	300	300
Transcript of Minutes	0	0	100	100
Legal Retainer Fee	0	0	300	300
Miscellaneous	0	0	0	0
Total	\$68,800	\$7,800	\$1,300	\$77,900

Allocation of Budget

Geological Survey	\$34,400	\$ 0	\$ 0	\$34,400
Bear River Commission	34,400	7,800	1,300	43,500
Total	\$68,800	\$7,800	\$1,300	\$77,900

Presented to Commission: 4-19-71

Applic Number	Date of Filing	Name	Source	Use	Location	Amount (cfs)
			<u>STATE OF UTAH</u>			
21-1281	11-5-70	Gerber & Johnson	Underground	Irrig. dom.	S15 T 2N R10E Summit	0.045
21-1282	11-9-70	Jewett & Mortenson	Underground	Domestic	S 9 T 2N R10E Summit	0.015
29-1621	11-6-70	Clyde L. Price	Underground	Irrig. dom. stock	S36 T10N R 2W Box Elder	0.10
21-1283	11-23-70	J. Clift Foster	Underground	Domestic	S10 T 2N R10E Summit	0.045
25-5074	11-25-70	Douglas Jensen	Underground	Irrig. dom.	S18 T11N R 1E Cache	0.015
25-5075	12-5-70	Leland P. Maughan	Springs	Irrigation	S 5 T10N R 1W Cache	0.90
29-1622	12-17-70	Warren E. Hansen	Underground - drain	Irrig. stock	S30 T11N R 2W Box Elder	1.50
25-5160	1-5-71	Duane E. Cox	Spring Creek	Fish culture	S18 T11N R 1W Cache	30.0
23-3375	1-11-71	Conway L. Maughan	Surface drain	Irrigation	S28 T14N R 5E Rich	0.015
25-5161	1-12-71	S. W. Field Irrig. Co.	Underground - drain	Irrigation	S 5 T11N R 1E Cache	0.50
25-5162	1-12-71	S. W. Field Irrig. Co.	Underground - drain	Irrigation	S 5 T11N R 1E Cache	0.50
25-5163	1-25-71	Dennis Sorensen	Underground	Irrig. dom.	S24 T11N R 1W Cache	0.015
25-5164	1-29-71	Aleda Marshall	Underground	Irrig. dom. stock	S31 T13N R 1E Cache	0.015
23-3376	2-10-71	Ross Cheney	Underground	Irrig. dom. stock	S30 T13N R 6E Rich	1.0
25-5166	2-8-71	J. H. & Neff Hardman	Deep Canyon Cr.	Irrig. stock	S 7 T11N R 1W Cache	20.0 ac ft
29-1628	2-10-71	Welling & Larsen	Underground	Culinary use	S35 T14N R 3W Box Elder	1.0
25-5168	2-11-71	Steven Albiston	Underground	Irrig. dom. stock	S17 T11N R 1E Cache	0.015
29-1629	2-17-71	Fred & Violet Eggli	Underground	Dom. stock	S18 T11N R 3W Box Elder	0.015
25-5169	2-18-71	John S. Smith	Underground	Irrig. dom. stock	S34 T11N R 1E Cache	0.015
25-5170	2-16-71	Millville Town	Garr Spring	Municipal	S23 T11N R 1E Cache	2.0
25-5171	2-16-71	Millville Town	Underground	Municipal	S22 T11N R 1E Cache	2.0
23-3377	2-19-71	Bridgerland Inc.	Underground	Dom. stock	S 5 T13N R 5E Rich	10.0
29-1630	2-23-71	Ralph Udy	Underground	Stock	S29 T13N R 2W Box Elder	0.015
23-3378	2-22-71	Garden City Corp.	Swan Spring	Municipal	S 6 T14N R 5E Rich	1.50
25-5172	3-11-71	Samuel Merrill	Spring	Fish Culture	S32 T13N R 1E Cache	3.0
25-5173	3-11-71	Terry L. Gnehm	Underground	Irrig. dom. stock	S16 T12N R 1E Cache	0.015
25-5174	3-18-71	John & Sharon Hansen	Underground	Irrig. dom. stock	S17 T11N R 1E Cache	0.015

Applic Number	Date of Filing	Name	Source	Use	Location	Amount (cfs)
29-1632	3-22-71	Paul Christensen	STATE OF UTAH (continued) Underground Underground Underground - drain	Irrig. dom. stock	S30 T12N R 2W Cache	0.015
25-5176	3-24-71	Willard Peterson		Irrig. dom. stock	S28 T11N R 1E Cache	0.15
25-5177	3-25-71	Wallace Mallory		Irrig.	S16 T14N R 1E Cache	2.0
25-5178	3-25-71	Wallace Mallory	Underground	Irrig. dom. stock	S16 T14N R 1E Cache	1.0
25-5179	3-29-71	Garth Hemming	Underground	Irrig. stock	S21 T11N R 1E Cache	0.10
				Total underground		15.605
				Total surface (springs & drains)		41.915
				Total stock pond		20.0 ac-ft
All applications listed for Utah are pending approval.						
			STATE OF IDAHO			
11-7019	12- 2-70	Lewis Munk	Underground	Irrigation	S20 T11S R44E Bear Lake	4.0 a
11-7020	2-22-71	LeGrand Rigby	Underground	Irrigation	S11 T14S R45E Bear Lake	3.2 b
13-7021	1-26-71	Thomas A. Robinson	Underground	Irrig. dom. stock	S18 T15S R41E Franklin	1.82 a
13-7022	2- 3-71	Idaho Fish & Game	Middle Whiskey Creek Spring	Fish culture	S18 T11S R41E Caribou	7.0 b
		a - approved			Total underground	9.02
		b - pending			Total surface (spring)	9.00
			STATE OF WYOMING			
5-17-18	1- 5-71	Teichert Bros. & Dimond	Underground	Dom. stock	S33 T24N R119W Lincoln	0.056
5-8-56	2- 4-71	Evanston City	Underground	Municipal	S16 T15N R120W Uinta	0.446
20 1/300	4-14-70	Urroz Estate	Yellow Creek	Irrigation	S31 T15N R120W Uinta	0.629
20 2/391	2- 3-71	Bur. of Land Management	Elk Mtn. Spring	Stock	S18 T20N R118W Lincoln	0.052
				Total underground		0.502
				Total surface (spring & creek)		0.681
All applications listed for Wyoming are approved.						