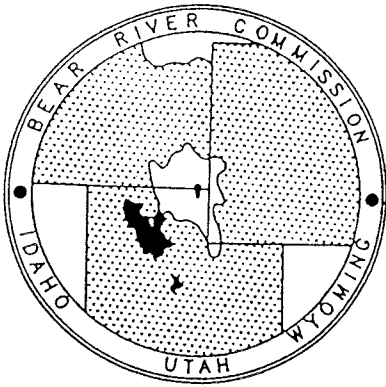


# BEAR RIVER COMMISSION

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## MINUTES

### BEAR RIVER COMMISSION CONFERENCE CALL/COMMISSION MEETING

January 26, 1998

The Bear River Commission held a conference call/Commission meeting on Monday, January 26, 1998. A list of those involved in the conference call/meeting is attached as Attachment 1. The conference call began at 10:00 a.m. and Chair Wheeler called the meeting to order. Commission members were reminded that they had each received revised Appendices B & C of the Lower Division Procedures via Memorandum BR98-1 dated January 15, 1998. In that memorandum it was stated that the conference call/meeting was to be held on January 22. Due to Idaho's scheduling conflict, the meeting was changed to Monday, January 26. Memorandum BR98-4 was sent to all Commission members after phone calls were made advising members of the meeting change. Therefore, all Commission members were properly informed of the meeting.

#### COMMISSION MEMBERS

##### Chair

Denice Wheeler

##### Idaho Members

Karl J. Dreher  
Rodney Wallentine  
Don W. Gilbert

##### Utah Members

D. Larry Anderson  
Blair Francis  
Charles W. Holmgren

##### Wyoming Members

Gordon W. Fassett  
James Crompton  
John A. Teichert

#### ENGINEER-MANAGER

Jack A. Barnett  
Suite 101  
106 West 500 South  
Bountiful, UT 84010

Chair Wheeler asked that Jack Barnett briefly recount the process involving the adoption of the Lower Division Procedures and the appendices. Jack indicated that many amendments and modifications have been made to draft procedures over many months by the TAC, the Operations Committee and by the three state leads. At the November Commission meeting held on November 18, 1997, the Interim Lower Division Procedures and Appendix A were adopted, with the understanding that the Procedures may be subject to further revisions. It is now the responsibility of the Commission to decide if Appendices B & C are ready to be the subject of a public hearing.

Chair Wheeler called for questions regarding Appendix B. Charles Holmgren had a question regarding page B-2, paragraph C where it states "Main stem water users will be allowed diversions of stored water. Diversions of stored water will be allowed upon receipt by the Commission from Utah Power of storage allocations for that year in acre-feet by storage contract holder." Jack and Don Barnett explained the way the computer models work in recognizing natural flow and stored water and the water users agreement. The intent is to make sure that storage isn't charged to individual irrigators or companies until such time that there is a purposeful storage release. The storage release does not need to be just pumping but could be bypasses of water out of Mud Lake. The release just needs to be a purposeful release for storage users. Jack Barnett indicated that Utah Power would have to declare when it was starting to release through its storage right and that is when the accounting would start so that people don't build up a deficit before they are, in fact, taking stored water in lieu of natural flow.

Rodney Wallentine then explained the reasons for his problem with the procedures. He does not feel the Commission has done what it told the people in public hearings a year ago it would do with regards to accounting for ground water. He further explained that if he were an Idaho user that was affected by the procedures, he would need to understand what was coming his way. The procedures do not do this in their present form.

Jack Barnett explained that the TAC met and made modifications to the appendices and then the Management Committee considered the appendices. There is an indication that ground water will be considered in the future. There are no deadlines or explanations as to how it will be considered and it was left as an open question. The technical people felt that they did not have, and would not have for some period of time, the kind of information they would need to be quantitative in a write-up as to how ground water would be handled. The TAC concluded to recommend that it be put on a shelf for a time and that it not delay the proceedings. It is the Commission's decision as to whether to delay adopting the appendices until ground water is resolved or whether to move ahead and address the issue of ground water in the future. Barnett indicated that today the Commission is determining if the appendices should be taken to public hearings. It was Barnett's recommendation that two public hearings be held and before each hearing is formally convened for comment there be a period for informal discussion to answer all questions the public might have once they have seen Appendices B & C.

Karl Dreher asked Jack Barnett how the Commission will deal with questions regarding ground water. Barnett indicated that he would need to look to instructions from the Commission, but one potential approach would be that the user would not be impacted if he was a user of ground water until such time as the Commission adopts more proceedings that relate specifically to ground water. With respect to the impact on surface users, that impact is there and the Commission will not get involved in that issue unless there is a water emergency. Perhaps if there were to be a water emergency before the Commission further modifies the procedures, the Commission would not take into account ground water.

There was then discussion regarding two issues. The first issue was brought up by John Teichert regarding the Dietrich & Kimball Decrees referred to in Appendix B, Section II, item G. Teichert asked whether there was a model that shows ground water loss. Don Barnett indicated that neither the Dietrich nor Kimball Decrees say anything about ground water. They provide for transit losses of the storage as it moves down through the system. The states have looked at the transit time and made a re-evaluation but they have not done any seepage runs of the river itself to try and determine whether Judges Dietrich and Kimball were good in assigning the transit losses. Teichert asked about travel time and Don Barnett indicated that the model uses 5 days from top to bottom. If one adds up the decrees, you only get 4 days.

The second issue was regarding tributaries not being regulated from the main stem. Jack Barnett indicated that the thrust of the procedures is that each of the states will be in a position to regulate the tributaries and assure that there is no junior tributary rights on if the Commission is regulating the main stem junior to those that are entitled to be on on the main stem. Don Barnett indicated that they will be regulated, just not by the Commission.

John Teichert then asked a question regarding the US Fish & Wildlife Service water right on Water Delivery Schedule No. 1. This led to a discussion of Appendix C. Jack Barnett indicated that Utah Power has given to the Commission a listing of the rights that Utah Power can identify that also have contracts. If the Commission directs Barnett to publicly distribute the water right list and to go to public

hearings, Barnett proposed that the Commission add a column of asterisks showing the rights which have contracts because that is informative to the Commission and the public. The list may not yet be perfect, but it is a list that the technical people from the states believe is the best they can do at this moment in time and they are comfortable with the list. The public hearing process is, in part, to let the public review the list and make comments. It might well be that there will be changes to the list after the public hearings. Utah Power has given the Commission some comments concerning the list. Utah and Idaho have a copy of Utah Power's comments. It was Barnett's view that many of the comments reflect the fact that Utah Power has not taken care of their paperwork in the state offices and that the Commission shouldn't modify the list based upon the Utah Power comments until Utah Power takes care of their records in the state offices. The Commission can't refine the list until it is made public, and the Commission can't properly advise every water user unless the Commission some way mails to every water user on the list. If the Commission decides to go forward with the hearings, it will be a large work effort which the Commission staff is prepared to accomplish. Barnett asked for questions regarding Appendix C.

Charles Holmgren indicated that on the bottom of the delivery schedule, page 6, there are listed several names that have pumping rights with Utah Power and not natural flow rights on the river. He asked why these rights were included on the list. Don Barnett pointed out that there were a few reasons why they were included. A few of the rights are associated with property that Utah Power owns and so they are just delivering storage to itself. Several of the rights are associated with water rights that receive natural flow delivery from tributaries but then they pick up their Bear River storage water from the Bear River itself. Holmgren asked why Footnote #1 "water rights not included in the accounting models" are included on the list. Don Barnett indicated that the water rights had not been identified by the states when they put together the accounting models. In the effort associated with trying to review the list and create a new list, the state water right data bases were reviewed and these water rights surfaced. They have been added to this list as water rights but which have not been included in the accounting models. There may be further discussion about those rights, whether they are being used, and how should they be treated. It could have just been an oversight when the models were put together. There has been no state action to cancel the rights. They are still bona fide water rights on the state water right list.

Jack Barnett pointed out that through all the discussions at the Management Committee level, with the water right people directly and at the TAC level, the conclusion was that the Commission would be better served not to, so to speak, extinguish rights and to accept the rights as they now appear on the state water right record. If the Commission chooses to, in detail, investigate the validity of every right, it will be a massive multi-year effort tantamount to an adjudication. The Commission continues to reiterate that this is not an adjudication but a listing of rights that the Commission would deliver to under a water emergency as provided for under the Compact.

Jeff Fassett asked whether the states have had a chance to spend much time looking at the changes that came from Jody. Some seemed to be name changes but there were some rights that they suggested should be added. Jack Barnett clarified that the changes came late from Utah Power. Utah Power has been promising the Commission a list and found that it was a lot more work than they initially thought it would be because their records were outdated and inaccurate. Not all members of the Commission have seen what Utah Power sent so Jack commented on the Utah Power changes. Utah Power has inserted in pencil one right that they think should be added in Idaho and nine rights in Utah. The Commission staff faxed the information to the state leads but they have not had much time to check on the changes.

Larry Anderson stated that at the present time, Utah is not prepared to add any of the rights to the list. It is Utah's position that the purpose for sending this information out to the public is to get that type of information from the water users. Jack Barnett stated that his guess is that Utah Power had been saying consistently that they did not offer any contracts to anyone that did not have a natural flow right. When they were pinned down, it came out that that was not totally true. These rights, particularly the ones that they are trying to add in Utah, are possibly very late priority rights and may have been filings filed by the user to meet Utah Power's requirement that they have a direct flow right before they have a contract. These still may be just applications not yet perfected by the state appropriation process. Larry Anderson indicated that this may or may not be true. Many of the owners of a right listed in Utah by Utah Power may have two or three other rights and Utah Power was delivering their storage water under another right. Some of these rights are out of drains or sloughs that should not be listed. They probably have another right that is being delivered storage water already. Jack reiterated that this is the kind of information the Commission hopes to receive from making the list public and from holding public hearings. When questions arise as to whether the water right record is correct or not, more often than not it is correct and people have not done their due diligence to keep their rights up to date. It would need to be checked in each case.

John Teichert asked if there would be any provisions to remove rights from the list. Jack Barnett indicated that the interim procedures, as they are adopted, allow for the Operations Committee to make minor changes to the water right list without going back to public hearing. The adopted list will not be the list which Commission members are looking at today but the list that the Commission adopts at a future Commission meeting. The list being discussed today would be a preliminary adopted list subject to change at the time it is taken formally up at the Commission when the Commission adopts Appendix C - Water Delivery Schedule No. 1.

Chair Wheeler indicated that it was her understanding that in order for the Commission to go to public hearings, the Commissioners have to tentatively approve Appendices B & C. Jack Barnett stated that it was his belief that the Commission is not governed by any rules or procedures except those that they might adopt. They have never adopted a procedure as to how they will adopt the initial procedure. The Commission legally could, in this conference call, adopt all of this and tell the public what was done, but that is not the way the Commission wishes to operate. Barnett stated that he thought it would be a good process for the Commission to tentatively approve these appendices, if the Commissioners choose to, send them out for public comment and hearings and then await the final action at the appropriate Commission meeting.

Chair Wheeler asked Rodney Wallentine to state his feelings regarding tentatively sending out the appendices and holding public hearings. Wallentine stated that if the Commission can solve the problem of how to: a) account for ground-water; and b) inform a would-be affected Idaho user some way he can go along with this. However, he does not feel that the Commission has done this. He reiterated that he is not personally affected by this but when public hearings were held a few years ago the Commission told water users that the issues would be resolved before coming back to them. Wheeler asked Wallentine if it would be appropriate and feasible to have this as a future work item. Wallentine stated that he did not feel it was appropriate. He further indicated that when the Commission adopts Appendices B & C and holds public hearings, the light will go out and it won't come on until someone is affected. The water delivery schedule is needed but the Commission has not done what it said it would do to get the schedule

**Bear River Commission Conference Call/Meeting**  
**January 26, 1998**  
**Page 5**

ready. Following a significant amount of discussion on this issue, Larry Anderson stated that he wished to make a motion.

Chair Wheeler first reviewed Article IV, sections 6, 7 and 8 of the Bylaws concerning the constitution of a quorum and the voting process. Section 8 was read as follows: "When a quorum is present, an affirmative vote of at least two-thirds of the Commissioners in attendance shall be necessary for Commission action." It was determined that there was a quorum involved in this Commission conference call/meeting. Larry Anderson then moved that the Commission give approval to send out Appendices B & C for public comment and agree to hold public hearings in February or March to gather information from the public on the information sent out. Blair Francis seconded the motion. There was then a great deal of discussion regarding alternative schedules, including taking another year to get better information and resolve the ground-water issue. The suggestion was made by Larry Anderson that perhaps the Commission could amend Appendix B, item III, subparagraph C by adding the words "Ground water" before "Tributary streams..." Following a discussion, it was determined that the Commission would not include that change. Chair Wheeler then took a voice vote on Larry Anderson's motion regarding Appendices B & C being sent to the public and the holding of public hearings in February or March. Those Commissioners voting in the affirmative were: Anderson, Holmgren, Crompton, Francis, Fassett and Teichert. Those Commissioners voting in the negative were: Dreher, Gilbert and Wallentine. There was the required two-thirds vote in the affirmative and the motion was carried.

Chair Wheeler called for any action regarding "Section III. Distribution" of Appendix B. Karl Dreher moved that the Commission delete all but the first three sentences of sub-item D. Rodney Wallentine seconded the motion. Following some discussion, it was determined that the last sentence, "Both states are committed to include appropriate groundwater effects in their water accounting and administration" should remain in Appendix B. The sentences to be removed are "Each state is also considering groundwater management strategies. At the time of the adoption of Water Delivery Schedule No. 1, Idaho and Utah have not fully determined the impacts of groundwater development to the flows of the Bear River." Chair Wheeler called for a voice vote. All Commissioners voted in the affirmative and the motion was carried. A copy of the revised Appendix B and the agreed upon Appendix C are included in the minutes as Attachment 2 and 3.

There was then a discussion regarding the sending out of Appendices B & C and the scheduling of the public hearings. It was determined that the Commission staff would try to get the mailings sent to water users during the first two weeks of February, but this schedule is dependent on receiving the mailing lists from Utah and Idaho. The staff will also get public meeting notices to the newspapers and county courthouses. It was further determined that the public hearings would be held on March 25 and 26, with one hearing held in Grace, Idaho and the other in Logan, Utah.

Chair Wheeler called for a motion to adjourn the meeting. Don Gilbert so moved and John Teichert seconded the motion. The motion was carried and the conference call/meeting adjourned at 11:45 a.m.

**ATTENDANCE ROSTER**

**BEAR RIVER COMMISSION  
CONFERENCE CALL/MEETING  
January 26, 1998**

**IDAHO COMMISSIONERS**

Karl J. Dreher  
Don W. Gilbert  
Rodney Wallentine

**WYOMING COMMISSIONERS**

Gordon W. Fassett  
James L. Crompton  
John Teichert

**FEDERAL CHAIR**

Denice Wheeler

**UTAH COMMISSIONERS**

D. Larry Anderson  
Blair R. Francis  
Charles Holmgren

**ENGINEER-MANAGER & STAFF**

Jack A. Barnett  
Don A. Barnett  
Nola Peterson

**Attachment 2**

**Appendix B**  
**Bear River Commission**  
**Water Accounting & Distribution Method**  
**Procedures for Lower Division Water Delivery**

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## **Appendix B Accounting & Distribution Method**

### **Bear River Commission Approved Procedures for Lower Division Water Delivery**

#### **I. INTRODUCTION**

The Bear River Commission's *Procedures for Lower Division Water Delivery*, to which this document is appended, provide for the description of an accounting method which can be used to account for the distribution of Lower Division main stem Bear River flows, including accounting of stored water, without regard to state line, pursuant to the water delivery schedule(s) set forth in Appendix C (see definitions found in III.C. of these Procedures). The purpose for describing the accounting method is to document the necessary logic and approach for water distribution and delivery calculations. The method described below is based upon appropriate hydrologic and water right accounting and distribution principles and upon provisions found within both the Dietrich and Kimball Decrees.

Upon the declaration of a water emergency, the administration of water deliveries will proceed as needed between the Commission and the States of Idaho and Utah and their respective river commissioners or watermasters. Both the States of Idaho and Utah will use their respective computer accounting models which implement the same methodologies as described below. In order to protect water users, the states will provide timely diversion measurements and regulation with weekly reporting to the Engineer-Manager as described in Section VII of the Procedures for Lower Division Water Delivery.

#### **II. ACCOUNTING**

During a Commission declared water emergency, the distribution and delivery of natural flows will be made to users within Idaho and Utah by priority and without regard to the state line. It is recognized that during much of the irrigation season, stored water releases from Bear Lake have a dramatic impact to the main stem Bear River flows in the Lower Division. It is further recognized that Utah Power controls these releases within restraints provided for by the Compact and under state water law to deliver stored water to contract users. The recognition of these contract holders and the segregation of stored water from the natural flow is vital to water accounting and delivery. Therefore, in a water emergency, the following will apply:

- A. In order to properly account for water travel times and stored water delivery losses, the river will be divided into a series of reaches. Reaches are defined based upon available stream flow information and/or between points on the river where there are changes in hydrology, including at major points of diversion or tributary confluences. Once the reaches are defined, the natural flow gain (or loss as a negative gain) within the reach is calculated. The natural flow gain within a given reach is defined as the



discharge from the reach, plus any diversions within the reach, minus the inflow to the reach, plus or minus changes in reservoir contents within the reach. Reach gains and natural flows available for diversion within each reach will be calculated and distributions will be made to users diverting under water rights for non-hydropower purposes set forth in Appendix C (Water Delivery Schedule No. 1) within that reach and downstream reaches, by priority.

- B. Once all of the natural flow has been distributed, all junior rights will be distributed zero natural flow. If in the distribution process there is only sufficient natural flow to meet a portion of the rights with identical priorities, then distribution will be made on an equal percentage of the available natural flow to each right holder with the identical priority.
- C. Main stem water users will be allowed diversions of stored water. Diversions of stored water will be allowed upon receipt by the Commission from Utah Power of storage allocations for that year in acre-feet by storage contract holder. The storage allocations provided by Utah Power may reflect the total storage limitations agreed to in the Bear Lake Settlement Agreement.<sup>1</sup>
- D. To properly account for use of all stored water from Bear Lake, a calculation of natural flow diversions and use of stored water released from Bear Lake will be made beginning on the date during the irrigation season when stored water was first released from Bear Lake.
- E. Individual stored water use accounts will be tracked during the remainder of the water emergency and once the stored water allocated to an individual water user is fully used, the water user will not be allowed additional diversions of stored water unless the Commission receives notice from Utah Power that supplemental storage allocations have been made.
- F. As provided for in the Dietrich Decree, "in order to compensate for the natural yield of the Bear Lake area," water released from Bear Lake shall include an amount of water to be "regarded as 'natural flow'" in the following amounts during the year:
  - 50 cfs from April 20<sup>th</sup> to July 1<sup>st</sup>,
  - 35 cfs from July 1<sup>st</sup> to July 15<sup>th</sup>,
  - 25 cfs from July 15<sup>th</sup> to August 1<sup>st</sup>, and
  - 15 cfs from August 1<sup>st</sup> to September 15<sup>th</sup>.
- G. Stored water released from Bear Lake will be subject to transit losses as provided for in the Dietrich and Kimball Decrees so as to protect natural-flow water rights. The decreed transit losses are as follows: 1½ percent of the stored water flowing between

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<sup>1</sup> The Bear Lake Settlement Agreement is an agreement entered into on April 10, 1995 between PacifiCorp, the "Bear Lake Group," and the "Irrigators."

Alexander and Grace Dam and an additional 1 percent transit loss for stored water remaining between each of the following points: Grace Dam and the diversions for West Cache Canal; between the diversion for West Cache Canal and the Idaho-Utah State Line; and between the Idaho-Utah State Line and Cutler Reservoir.

- H. The movement of natural flow and stored water within the system will be subject to travel time as provided for generally in the Dietrich and Kimball Decrees. It has been determined that the travel time from Outlet Canal to Corinne is approximately 5 days. Therefore, the travel time used in the accounting models will be different from the travel time identified in the decrees.
- I. A summation of total natural flow and stored water available for diversion by reach will be made and the appropriate division and regulation of such flows within the reaches will be the responsibilities of the states and their respective river commissioners or watermasters.

### III. DISTRIBUTION

An integrated water delivery schedule of all Bear River Lower Division main stem water rights deliverable in both Idaho and Utah has been created and incorporated into the states' computer accounting models. During a water emergency, the states will provide timely diversion measurements and regulation with weekly reporting to the Engineer-Manager as described in Section VII of the Procedures for Lower Division Water Delivery. The following will apply:

- A. Natural flow will be distributed according to priority of rights on the main stem Bear River in the Lower Division, based on Water Delivery Schedule No. 1 set forth in Appendix C.
- B. Stored water from Bear Lake will be accounted for and distributed to storage water contract holders up to their contracted amounts, as provided by Utah Power.
- C. Tributary streams will be administered by state officials having jurisdiction in Idaho and Utah.
- D. It is recognized that groundwater diversions have an effect on the flows of the Bear River. The States of Idaho and Utah are evaluating this impact, and a list of all groundwater rights with flow rates greater than 0.10 cfs has been prepared by the two states. Additional studies have been and are being performed by the states. Both states are committed to include appropriate groundwater effects in their water accounting and administration.

**Attachment 3**

**Appendix C**  
**Bear River Commission**  
**Water Delivery Schedule(s)**  
**Procedures for Lower Division Water Delivery**

## Water Delivery Schedule No. 1 Lower Division Main Stem Bear River

WATER RIGHT	NOTE	PRIORITY			FLOW (CFS)	OWNER
		YR	M	D		
11-01012		1869	6	1	1.6	» ALLEMAN, L.
13-00966		1879	5	1	2.2	GENTILE VALLEY (HARRIS, A. W.)
25-6299		1880	05	01	3.0	Reese, Lee
25-6300		1880	05	01	1.5	Reese, Lee
25-7522		1880	05	01	0.5	Reese, Tom
13-00970		1880	5	1	6.5	NELSON DITCH CO.
13-00969A		1882	5	1	3.5	SMITH-BOSEN
13-00969B		1882	5	1	2.0	W. SMITH PUMP
13-00973		1882	5	1	13.0	RIVERDALE PRESTON IRRIGATION CO.
13-00621		1883	5	7	0.8	HOGAN, DEAN S.
13-00971		1883	6	10	3.0	RIVERDALE PRESTON IRRIGATION CO.
13-00975		1883	7	10	5.0	WEST CACHE IRR. CO. (BATTLE CREEK)
13-00681B		1884	5	2	1.0	HOGAN, DEAN S.
13-00682B		1884	5	2	0.5	HOGAN, DEAN S.
13-00683		1884	5	2	0.5	HOGAN, DEAN S.
29-2856		1889	03	01	333.0	Bear River Canal Company
11-00254		1889	5	1	24.0	BUDGE LAND & LIVESTOCK CO.
11-00255		1889	5	1	2.0	BUDGE LAND & LIVESTOCK CO.
11-00256		1889	5	1	2.5	BUDGE LAND & LIVESTOCK CO.
13-00959		1889	6	1	33.0	GENTILE VALLEY IRRIGATION CO. LTD.
13-00953	1	1889	7	30	4.0	JOHNSON, E. P.
29-1912	2	1890			30.0	Bear River Silt Lands Company
25-6467		1894	05	01	0.5 *	Goodwin, Robert W.
25-6881		1894	05	01	*	Sorensen, Gary
13-00954	1	1895	3	21	2.4	WISER PUMP
29-3481		1895	08	12	4.5	Gilbert, Robert
13-00991C		1897	3	1	200.0	LAST CHANCE CANAL CO. LTD.
13-00964		1898	8	31	1.0	GENTILE VALLEY (ELLSMORE)
13-00965		1898	8	31	0.9	GENTILE VALLEY (HARRIS)
25-3505		1899	09	12	1.5	Munk Jorgensen Pump Company
13-00974		1899	9	12	186.0	WEST CACHE IRRIGATION CO.
11-00253		1900	5	1	1.5	ALLEMAN, L.
13-00960B		1901	2	23	2.6	SKABELAND, DAVID
13-00960D		1901	2	23	2.0	WANLASS PUMP
13-00960E		1901	2	23	26.2	GENTILE VALLEY (THATCHER IRR. CO.)
13-00960F		1901	2	23	4.2	WHITE, LOYAL W.
29-2857		1901	5	14	133.0	Bear River Canal Company
13-00992C		1901	5	14	240.0	LAST CHANCE CANAL CO. LTD.
29-3698	2	1902			(2000 AF)	US Fish & Wildlife Service
29-3739	2	1902			75.2	Bear River Club
13-00972		1902	6	10	6.5	PRESTON RIVERDALE IRRIGATION CO.

## Water Delivery Schedule No. 1 Lower Division Main Stem Bear River

WATER RIGHT	NOTE	PRIORITY			FLOW (CFS)	OWNER
		YR	M	D		
29-1855	P	1903	12	01	270.0	Pacificorp dba Utah Power (Cutler)
13-00961		1904	4	18	12.0	GENTILE VALLEY (BARTLOME)
29-2633		1904	06	01	95.0	Bear River Canal Company
11-02006	1	1905	10	5	0.8	DREWERY, HARRY
13-00957	PN	1905	12	28	500.0	UTAH POWER & LIGHT CO. (Grace)
29-2146	P	1906	12	01	135.0	Pacificorp dba Utah Power (Cutler)
13-00958	PN	1908	7	6	500.0	UTAH POWER & LIGHT CO. (Grace)
29-2147	P	1908	12	01	135.0	Pacificorp dba Utah Power (Cutler)
13-00955		1909	8	9	138.2	BENCH B CANAL
13-00956		1909	12	31	25.6	BENCH B CANAL
13-00967	P	1910	6	17	1000.0	UTAH POWER & LIGHT CO. (Oneida)
11-00262		1910	7	29	54.0	LAST CHANCE CANAL CO.
13-00968	P	1911	1	18	1500.0	UTAH POWER & LIGHT CO. (Oneida)
11-00248		1911	3	1	3000.0	UTAH POWER & LIGHT CO. (Stewart)
11-00249		1912	9	11	2500.0	UTAH POWER & LIGHT CO. (Stewart)
29-2148	P	1912	12	02	500.0	Pacificorp dba Utah Power (Cutler)
29-2858		1914	05	01	43.0	Bear River Canal Company
13-02310	1	1914	5	6	0.3	OREGON SHORT LINE RAILROAD CO.
13-02066		1914	12	11	100.0	CUB RIVER IRRIGATION CO.
25-3031		1915	05	04	2.0	Larson, Leland U. & Joanne R.
25-5132		1916			6.0	West Cache Irrigation Company
25-7045		1916			4.0 *	Hoffman, A. Alton (etux)
25-7046		1916			*	Thain, Paul
13-00962	PN	1916	3	9	1500.0	UTAH POWER & LIGHT CO. (Cove)
25-6236		1916	05	15	3.0	Munk Jorgenson Pump Company
25-6322		1917	05	01	3.0 *	Munk, Robert A.
25-6323		1917	05	01	*	Tarbet, George
25-6324		1917	05	01	*	Fisher, John Lee
25-6915		1917	05	01	2.0 *	Reese, Lowell S.
25-6939		1917	05	01	*	Ballard, R. Mel Roy
25-6914		1917	05	01	2.0	Allen, John E.
25-6910		1917	05	01	2.0 *	Ballard, R. Mel Roy
25-6911		1917	05	01	*	Ballard, M. Landell
25-6912		1917	05	01	*	Ballard, Nolan R.
25-6913		1917	05	01	*	Ballard, Kenneth R.
25-6318		1917	05	01	7.0 *	Benson-Bear Lake Irrigation Company
EX 581		1917	05	01	*	Lee Johnson
EX 802		1917	05	01	*	W. D. Johnson
EX 1194		1917	05	01	*	Jim Watterson
25-8346		1917	05	01	*	Sam Hilton
25-5807		1917	06	15	5.0	King Irrigation Co.

## Water Delivery Schedule No. 1 Lower Division Main Stem Bear River

WATER RIGHT	NOTE	PRIORITY			FLOW (CFS)	OWNER
		YR	M	D		
25-6890		1917	07	05	4.9 *	Spackman, Vaughan
25-6891		1917	07	05	*	Buttars, Lloyd
25-6892		1917	07	05	*	Spackman, LeRoy
25-6893		1917	07	05	*	Spackman, Robert L.
29-995		1917	08	02	2.0	Lazy "B" Cattle & Land Company
29-1589		1917	08	02	3.5	Anderson, Verl H.
25-6624		1918			3.0	Goodwin, Robert W.
25-6626		1918	05	01	3.0 *	Utah Power & Light (Irr.)
25-6627		1918	05	01	*	Simmonds, Jerry
25-6628		1918	05	01	*	Simmonds, Grant
25-6625		1918	05	01	*	Pitcher, Larry
25-3517		1918	05	01	6.0 *	Hoffman, A. Alton (etux)
25-6908		1918	05	01	*	Cronquist, Heber Carl (Larry Falslev)
25-6909		1918	05	01	*	Falslev, Rulon
29-993	1	1918	09	04	0.2	Whitaker, Lloyd N.
25-6925		1919			4.0	Hill Irrigation Company
25-3040		1919	05	01	1.5 *	Goodwin, Robert W.
25-6882		1919	05	01	*	Sorensen, Gary
25-7441		1919	05	01	0.2	Pitcher, Larry
25-4523		1919	06	01	2.8	Smithfield West Bench Irrigation Company
25-8332		1919	06	01	0.7	Hansen, W. A. & Lucinda (Jr.)
25-8178		1919	06	01	1.7	Larkin, Coe R. (Trustee)
25-8167		1919	06	01	0.8	Marchant, A. George, et ux
25-8723		1919	06	01	0.6	Wheeler, Allen
25-6319		1919	06	01	0.9	Falslev, Larry
25-6320		1919	06	01	1.6	Falslev, LaRon
29-996		1919	12	09	3.0	Worwood, Garry and Barbara, J.T.
29-1539		1920	01	07	1.1	Petersen, Earl Lewis
29-1001		1920	02	17	3.5	Holmgren & Anderson
25-3041		1920	03	03	3.0	Larson, Leland U. & Joanne R.
25-6301		1920	05	01	2.0	Griffiths, Robert
25-3518		1920	06	01	2.2	Wood, Walter L. (etux)
29-1003		1920	06	08	1.9	Thompson, Robert Neil & Gayla S.
29-1789		1920	06	08	1.9	Fridal, Keith R.
29-2649		1920	06	08	1.9	Thompson, Lindon
25-6917		1920	06	12	2.0	Wood Irrigation Company
25-6923		1920	06	17	2.5	Wheeler, Ray H. (etux)
25-5977		1922			2.5	Falslev, Harold N.
11-02081	P	1922	6	12	1500.0	UTAH POWER & LIGHT CO. (Soda)
29-1506	P	1923	12	19	2500.0	Pacificorp dba Utah Power (Cutler)
29-991		1924	09	13	1.2	Ferry, Miles Y. (Todd Yeates)

## Water Delivery Schedule No. 1 Lower Division Main Stem Bear River

WATER RIGHT	NOTE	PRIORITY			FLOW (CFS)	OWNER
		YR	M	D		
29-1010		1925	06	22	3.5	Hansen, Wesley R. (Royal Norman)
29-2149		1925	07	22	1.5	Hatch, Amos E.
29-2451		1925	07	22	2.5 *	Canadian Goose Club
29-2452		1925	07	22	*	Thompson, Grant L.
29-2453		1925	07	22	*	Barker, DeVerl
13-02111	1	1926	3	29	0.2	NELSON, TAYLOR
25-7047		1927			2.0 *	Ballard, R. Mel Roy
25-7049		1927			*	Reese, Lowell
25-7048		1927			2.0	Allen, John
29-1014		1928	11	11	1000.0	USA Fish & Wildlife Service
29-238		1928	12	14	3.0	Barfus, Phil
25-3058		1929	06	10	1.0	Munk, A. Robert
25-7813		1930			2.5	Wheeler, Regan
25-6023		1932	03	00	2.3	Watterson, Joseph L.
13-02148		1943	03	09	0.3	JENSEN, FLOYD
11-01102	1	1945	6	1	3.0	LOVELAND, RICHARD
25-3264		1955	10	08	1.9	Allen, John E.
25-3266		1955	10	11	(72 AF)	Spackman, LeRoy
25-9827	1	1955	10	11	2.0	Utah Power & Light (Irr.)
29-1169		1955	10	25	1.9	Cutler, Newell B.
25-3265		1955	11	10	3.0	Rigby, William F.
25-3260		1955	11	10	3.0	Rigby, J. Murray
29-1177		1955	12	21	1.5	McMurdie, Clifford H.
11-01101		1956	6	1	1.6	WALLENTINE, CLOYD
29-1178		1956	01	14	3.0 *	Hammons, Sherie Rae
29-1180		1956	01	14	*	Hammons, Sherie Rae
29-1179		1956	01	14	*	Hammons, Sherie Rae
29-1183		1956	05	11	2.0	Lazy "B" Cattle & Land Company
25-3296		1956	07	23	3.0	Falslev, Larry J.
29-1195		1957	03	29	2.0	Selman, Harold
25-3311		1957	09	04	2.0	Falslev, Harold N.
29-1200		1957	09	18	1.5	Peterson, Earl Lewis
29-1215	1	1958	12	02	2.0	Adams, Golden V.
29-1187	1	1959	08	20	1.0	Haycock, Warren C. & Norma H.
29-2632	1	1959	08	20	1.0	Payne, DeVerl and Irene I., Trustees
25-3358		1960	01	06	2.0	Rigby, Golden H.
29-1263		1960	03	10	1.8	Hansen, W. Eugene & Jeanine S.
11-01103		1960	6	1	1.5	HARDCASTLE, LEON
25-3379		1960	08	29	2.0 *	Johnson, Norval
25-3461		1960	08	29	*	Johnson, Norval
25-3462		1960	08	29	*	Johnson, Norval

# Water Delivery Schedule No. 1

## Lower Division Main Stem Bear River

WATER RIGHT	NOTE	PRIORITY			FLOW (CFS)	OWNER
		YR	M	D		
25-3382		1960	09	27	3.1	Bullen, Eva J. and Betty Bullen Knight
29-3609		1966	01	11	10.0	Bear River Silt Lands Company, et al.
25-4550	1	1966	04	04	3.0	Neeley, Lewis H.
29-1483		1966	04	20	3.0	Richards, Lynn H. & Christy H.
25-4647		1966	07	12	2.0	Reese Clark Pump & Irrigation Company
13-07129		1967	04	10	2.0	JENSEN, FLOYD
25-4911	1	1969	06	06	0.7	Gossner, Edwin O.
29-1647		1971	07	06	2.0	J. Y. Ferry & Sons (Incorporated)
13-07048		1973	6	21	1.8	PORTER, TERRY
25-6017		1973	07	26	2.0 *	Jean S. Nelson Trust, etal
25-9828		1973	07	26	*	Utah Power & Light (Irr.)
25-6083		1973	12	07	0.5	Pitcher, Larry
13-07069		1974	1	14	1.0	PORTER, TERRY
25-6167		1974	03	19	1.5	Larkin, Coe R.
29-1898		1974	07	25	1.0	Fridal, Keith
13-07081		1974	07	31	0.6	HODGES
25-6262		1974	09	17	2.5	Cowley, Joseph E.
25-6274		1974	11	05	0.0	Reese, Lee
25-6349	1	1975	03	07	0.8	Hansen, Willard A. (Jr.)
25-6366	1	1975	04	17	2.8	Western Dairymen Cooperative Inc.
25-6691		1975	11	03	3.8	Bullen, Reed
25-6838		1976	03	16	1.8 *	Buttars, Lloyd etux
25-8211		1976	03	16	*	Spackman, LeRoy
25-8212		1976	03	16	*	Spackman, Robert L.
25-8213		1976	03	16	*	Spackman, Vaughan
29-2034		1976	04	02	1.0	Selman, Harold (Inc.)
25-6852		1976	04	16	0.4	Utah Power & Light (Irr.)
25-6855		1976	04	21	2.0	M. J. & H. W. Ballard Pump
25-6856		1976	04	21	0.2	Ballard, Mel Roy
25-6861		1976	05	04	2.0	Hoffman, A. Alton
25-6874		1976	05	21	1.7	Thain, Paull
25-6975		1976	07	20	0.5	Larson, Leland U. & Joanne R.
25-6978		1976	07	23	2.0	Marchant, Raymond V.
25-7162		1977	02	02	1.1	Dorius, Weeks, and Taggart
25-7174		1977	02	15	0.7	Griffin, Duane W.
25-7329		1977	03	31	0.5	Benson, Dale V.
25-6688		1977	10	22	2.0	Hansen, Orris Mae
25-8015	1	1979	06	13	(24 AF)	Dorius, Floyd
25-8128		1980	02	04	3.4	Rich & Rich (C/O Wayne R. Rich)
13-07279		1980	5	3	25.0	CUB RIVER IRRIGATION CO.
13-07288	PN	1980	5	30	440.0	LAST CHANCE CANAL CO. LTD.



# Water Delivery Schedule No. 1

## Lower Division Main Stem Bear River

WATER RIGHT	NOTE	PRIORITY			FLOW (CFS)	OWNER
		YR	M	D		
25-8183		1980	07	22	1.6	Rich & Rich
29-2549	3	1980	12	22	150.0	Bear River Canal Company
13-07297	PN	1981	2	11	220.0	LAST CHANCE CANAL CO. LTD.
25-8263		1981	03	24	4.0	Munk, A. Robert
25-8268		1981	04	09	1.5	Seamons, Russell S.
25-8272		1981	04	14	1.5	Lindley, William
29-2725		1981	04	22	50.0	Bear River Canal Company
25-8297		1981	06	23	0.7	Benson, Dale
25-8389		1982	06	10	2.0	Rasmussen, Max J.
29-2976	PN	1983	10	28	900.0	Bear River Canal Company
25-8724	1	1986	03	11	1.8	Wheeler, Allan
29-3321		1987	06	11	300.0	Bear River Canal Company
25-8949		1988	12	21	1.5	Archibald, Cecil
25-8991		1989	05	24	2.0	Rigby, Mark L.
25-9014		1989	10	20	6.0	Stewart, Paul
25-7323		1990	08	29	5.0	Rasmussen Farms

Idaho unadjudicated claimed rights which only receive natural flow when the river is not in regulation, but which thereafter receive stored water under contracts with Utah Power.	INGLET, ALEX P. JOHNSON, B. LAMONT, BRUCE STEPHENS, LYLE C.
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Water users who do not receive main stem Bear River natural flow but who do have contracts with Utah Power for stored water which is diverted from the main stem of the Bear River. Such use of stored water will be regulated pursuant to contracts and storage allocations to protect main stem Bear River natural flow water rights.	KUNZ, CHARLES KUNZ, D. KUNZ, PARLEY KUNZ, PAUL KUNZ, S & R PANTER, R SODA GOLF TWIN LAKES PUMPS WHITNEY, C
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**Notes:** Owners appearing in upper case letters divert water in Idaho and those with lower case letters divert water in Utah.

» denotes holder of storage contract with Utah Power

\* denotes diversion shared with other water right(s)

1 water rights not included in accounting models

2 water rights which can only divert when the river stage is high, not included in the accounting models

3 water right for winter use only

P power right, storage use only