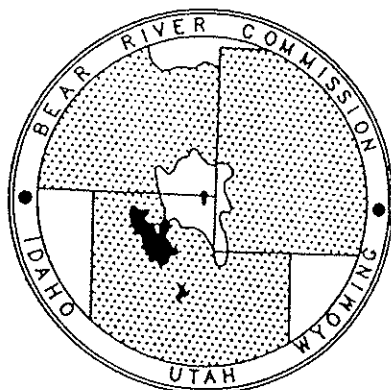


BEAR RIVER COMMISSION

106 West 500 South, Suite 101
Bountiful, UT 84010-6232
(801) 292-4662
(801) 524-6320 (fax)



MINUTES

BEAR RIVER COMMISSION ANNUAL MEETING ONE-HUNDRED SECOND COMMISSION MEETING

April 15, 2003

COMMISSION MEMBERS

Chair

Dee C. Hansen

Idaho Members

Karl J. Dreher
Rodney Wallentine
Dean M. Mathews

Utah Members

D. Larry Anderson
Blair Francis
Charles W. Holmgren

Wyoming Members

Patrick T. Tyrrell
Sam Lowham
Gordon Thornock

ENGINEER-MANAGER

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

The annual meeting of the Bear River Commission was called to order by Chair Dee Hansen at 1:45 p.m. on Tuesday, April 15, 2003 at the Utah Department of Natural Resources Building in Salt Lake City, Utah. This was the one-hundred and second meeting of the Commission. Hansen welcomed everyone to the Commission meeting and asked all in attendance to introduce themselves. An attendance roster is attached as Appendix A.

Chairman Hansen presented the agenda for the meeting. It was moved that the agenda be approved. The motion was seconded and carried. A copy of the approved agenda is attached as Appendix B. The Commission then moved to agenda item II and considered the draft minutes of the November 19, 2002 Commission meeting. Wyoming and Idaho had a few suggested typographical changes. There was a motion to approve the minutes with the few changes to be made. The motion was seconded and carried.

The time was then turned to Larry Anderson for the Secretary-Treasurer's report, agenda item III. Anderson asked Randy Staker to review the financial status of the Commission. Staker distributed three handouts and reviewed the information with the Commission. A copy of the handouts is attached as Appendix C. Anderson then explained the proposed budgets for FY 04 and FY 05. There were no questions for Anderson or Staker. It was moved that the Commission approve the Secretary-Treasurer's report and the proposed budget for FY 04. The motion was seconded and carried.

The Commission moved to agenda item IV, the election of officers. John Teichert was nominated to become the Vice Chair of the Commission. The motion was made to approve Teichert as the Vice Chair and the motion was seconded and carried. Larry Anderson was then nominated to continue as the Secretary-Treasurer. A motion was made to approve Anderson as the Secretary-Treasurer and the motion was seconded and carried.

The Commission then moved to agenda item V, an overview of the water supply. Randy Julander gave a Power Point presentation and began by indicating that the snowpack as of April 1 was at 80% of average in the Upper Division, at 82% in the Central Division and at 60% in the Lower Division. Streamflow forecasts are based on the April 1 value. Julander then reviewed the status of the Bear River Basin and the reservoir storage overall. Bear Lake is at 28% of capacity and Woodruff Narrows Reservoir is below 30% of capacity. The April 1 streamflow forecasts are based not on observed flow but adjusted flow, adding back in all the diversions and reservoir storage deficits. The general consensus is that the forecasts, based on the snowmelt seen in the past 4-5 days, will probably be cut as much as half by May 1.

Julander then discussed streamflow forecasting. The two agencies that do the forecasting are the Natural Resources Conservation Service and the National Weather Service. It is policy to forecast natural streamflow. At a station like the Bear River at State Line, there are no significant diversions or reservoir storage above that station so one would forecast what is actually observed. Once you get down to Stewart Dam, you have hundreds of diversions taking water and several reservoirs that are taking reservoir storage. The normal forecast is to add all of the storage back in and all of the diversions back in because you cannot anticipate reservoir operations, diversions and all of the return flow. It is the policy not to forecast management scenarios but to forecast observed flow. Beginning next year, they will be forecasting observed flow for the Bear River at Stewart Dam, not adjusted flow. Statistically, we will be worse off in the high years because typically in the high years you have a very cool scenario with lots of snow and very wet springs. A lot of the water gets dumped back as return flow. This is an area of concern because the high flows will be hard to forecast. In low snowpack years, in terms of forecasting, there is typically a high forecast error due to higher loss rates to soil moisture and sublimation.

The time was then turned to Kelly Holt to present the PacifiCorp report under agenda item VI. Holt distributed and reviewed a summary sheet, a copy of which is attached to these minutes as Attachment D. Holt reported that PacifiCorp is waiting for a reply from the FERC on the EIS. Once the reply is received from the FERC, there is a 90-day evaluation period and then the license will be issued at the end of the 90-day period. With regard to dredging, Holt reported that the dredge will be delivered to the Lifton station tomorrow morning and will be placed in the lake tomorrow afternoon. The anticipated start date for dredging is April 21. The dredge material will be put just above the high water mark to the east of the Lifton pumping plant.

Jody Williams then reported that on March 27 the Ninth Circuit Court of Appeals affirmed the FERC's finding of no licensing jurisdiction over Bear Lake. The court found that Bear Lake was not necessary or appropriate to PacifiCorp's operation of the downstream hydroelectric plants and, therefore, it was not necessary to license Bear Lake as part of the downstream hydroelectric projects. Williams also reported on the amendment of the Settlement Agreement. It has been eight years since the original settlement agreement was executed among the irrigators, various Bear Lake groups and PacifiCorp. There was a big push for interstate accounting and the two interstate models are working much closer than before. PacifiCorp then felt it had enough information to amend the irrigators' contracts to be consistent with interstate accounting on the Bear River. Over the last two years, a dispute has arisen between PacifiCorp and the Bear River Water Users Association over whose

allocation should bear the losses of water that are released from Bear Lake. They fall into two categories. The first category is water lost in transit which is set forth in the two decrees. The other category is system operating losses which essentially are accounted for as water which flows below Cutler Dam. There was an impasse between PacifiCorp and the irrigators. The irrigators approached the Bear Lake group and on March 6 produced a draft revised Settlement Agreement. PacifiCorp was not entirely satisfied with the language in the draft. PacifiCorp then advanced its draft but the irrigators and Bear Lake group were not satisfied with this draft. All three groups need to meet to revise the Settlement Agreement and go forward under a new allocation schedule that will resolve the differences in accounting for the decreed losses and the system operation losses. Until that time, PacifiCorp believes that it must operate under the existing Bear Lake Settlement Agreement.

The Commission then moved to agenda item VII, the report of the Water Quality Committee. Jack Barnett reported that the Water Quality Committee met via a conference call last week. The committee is making great progress. Idaho is about to release its TMDL report which is a very important document as one considers the water quality issues that might be generated across state lines. For example, if Idaho sets some standards with respect to phosphates and the problem with the phosphate is upstream in Wyoming, then one might immediately have some issues and some conflicts. More specifically, Idaho and Wyoming intend to discuss this subject within the next week before the report is released. Cirrus has about completed its contract with the Commission. The contract brings together information from the three states. The Commission was able to enter into this contract because of a grant from the EPA. Cirrus has not been able to get to a closure because of the needed Idaho information. Idaho gave to Cirrus preliminary information which allows Cirrus to make a presentation to the Commission today. Barnett then reported that the Commission submitted three grant applications to the EPA, one for \$30,000, one for \$40,000 and one for \$1.3 million. It is hoped that the Commission will hear back on the grant applications within the next few weeks.

The time was then turned to Scott Evans and Eric Duffin of Cirrus Ecological Solutions for their presentation. The information was shown to the Commission via a Power Point presentation. As previously indicated, the findings are preliminary because Idaho DEQ has not yet released all of the information in its TMDL report for the Bear River. Once this has occurred, Cirrus will finalize its report and submit it to the Commission.

Following the Cirrus presentation, it was indicated that Cirrus will present its final report at a symposium to be held in the fall. Mitch Poulsen reported on the fall symposium that is being planned. The symposium will run for three days, September 3-5, at the Canyon Cove Motel in Garden City. Cirrus will be there to make a presentation. There will be a panel discussion with the three DEQ leads from Wyoming, Idaho and Utah; the three Commissioners of Agriculture; and the three NRCS State Conservationists. It is hoped that symposium participants will be able to hear some success stories from each of the three states on the third day and be shown what is being done to achieve and improve water quality in each of the three states.

Barnett indicated that this was a good time for administrators to get together at Bear Lake but it was probably a poor time for irrigators, hence, additional meetings will be held later for irrigators. Mike Allred reported that the Bear River Basin Water Quality Task Force initially wanted to hold the symposium to attract the grassroots locals and to show them how their local watershed project plugged into the Bear River picture in terms of water quality. Because of the timing of the combined symposium with the Utah Nonpoint Source Conference, it was decided to get local participation through one-day meetings held throughout the watershed (possibly in Tremonton, Logan, Soda Springs, Montpelier, Cokeville, Randolph, Evanston) in January and February of 2004. Allred extended an invitation to Commission members to attend the symposium in September.

Barnett completed the report of the Water Quality Committee by indicating that an education program for students is being held in the Bear Lake area on April 26th and Commission members were invited to participate.

Chairman Hansen then asked Commissioner John Teichert to give the report of the Records & Public Involvement Committee. Teichert reported that the committee had met in the morning. The Eleventh Biennial Report has now been published and distributed. The Twelfth Biennial Report draft will shortly be prepared. The cover will show the Last Chance Canal. This biennial report will pay tribute to Bear River Commissioners who have passed away. Teichert further reported that Dean Mathews was elected as chair of the Records & Public Involvement Committee.

The time was then turned to the Operations Committee for its report. Commissioner Rod Wallentine reported that the committee met in the morning and elected James Crompton as its chair. The committee received a report from PacifiCorp. Don Barnett was then asked to report what he had reported to the committee during the committee meeting. Barnett indicated that because Bear Lake is below 5911, that portion of the Compact that limits upstream storage to just storage that was there prior to the Compact or the storage that was allocated to the states in the original compact is viable. Because of the allocations made to the states and some sliding of water between the reservoirs, it appears that the only reservoir that will be limited in upstream storage this year will be Woodruff Narrows Reservoir, which will be limited to about 27,000 af or a little under half its capacity. Jack Barnett briefly reported on the Upper and Central Divisions. There was not regulation last year in the Upper Division as no one asked for regulation. He indicated that he has been assured that there will be regulation in the Central Division this year and perhaps in the Upper Division. The Commission is a little better able to refine the administration in the Central Division than it was a few years ago.

Wallentine then reported that the Operations Committee discussed the Lower Division issues in 2003, specifically the individuals on the water delivery schedule and a letter from Randy Budge. Jack Barnett was asked to report on those discussion. Barnett indicated that there are three water right types in question: 1) PacifiCorp wanted some water rights taken off the delivery schedule associated with the golf course at Soda Springs and the committee approved this change; 2) a few water rights on the Bear River above the Last Chance Canal (above the Soda Springs area) that Budge's letter indicated they would like on the delivery schedule. It turns out they were, in fact, already on the delivery schedule. Idaho approved the transfer that would move their point of

diversion and the place of use from Soda Springs down to the Last Chance diversions. There was a motion passed in the Operations Committee meeting that authorized the change of the name on the water rights on the water right list contingent upon the modelers being able to properly account for the water in the accounting model.

The third category of rights had to do with two rights that would take water that previously had irrigated lands from Soda Creek. They would terminate that irrigation and run the unused water into the Bear River to be used at Last Chance. The transfer application has been approved by Idaho but Idaho is not going to allow that diversion and account for this kind of use until it is satisfied the proper measurement has been put in place. If the Operations Committee were to respond to Mr. Budge's letter and add the two water rights to the water delivery schedule, it would require action by the Operations Committee. The Operations Committee deferred the decision and decided not to take action because of the issue of it being a transfer of tributary water into the main stem of the Bear River. This issue has been moved to the Commission for discussion. Following a short discussion, there was a motion that the Commission refer this issue to the Management Committee to provide a forum for some additional debate and questioning to see what can be sorted out and hopefully provide better instruction back to the TAC and the Operations Committee on how to handle this issue. The motion was seconded and carried.

Chair Hansen then asked Jack Barnett to give the Engineer-Manager report under agenda item X. Barnett reported that the TAC was asked by the Commission to look at the possibility of teaming up with the U.S. Geological Survey to reassess the acreages being irrigated in the Bear River drainage. This was precipitated, in part, because of some conversations the State of Utah had with the USGS-Utah and the fact that the Utah Division of Water Resources is going to update its acreage use/irrigation use this summer with satellite imagery. The TAC met informally yesterday and it appeared that in order for the USGS to get involved in an Idaho and Wyoming companion effort the cost would be around \$100,000. Wyoming noted that it recently completed its planning study on the Bear River and none of the states or the TAC felt that pursuing this option was warranted. Larry Anderson pointed out that Utah and Idaho may still hold discussions about this issue.

The Commission then moved to agenda item XI and Pat Tyrrell was asked to present items from the Management Committee. Tyrrell indicated that the Management Committee had discussed an issue carried over from the November 2002 Commission meeting, that issue being the depletions to the mainstem Bear River from existing ground water development. There was some discussion in the committee meeting as to modeling on both sides, the quantity of depletions estimated and how that would be considered under the procedures for Lower Basin water delivery.

Language was proposed by the Management Committee for consideration by the Commission. This language is attached as Appendix E. The language was read by Tyrrell and it was moved that the language be accepted by the Commission. The motion was seconded and carried.

Commissioner Dreher indicated that the Commission will now need to do several things pursuant to Section IX of the Lower Division Procedures. Dreher summarized Section IX indicating

what needs to happen to amend the procedures (notice posted in courthouses, advertisements, public hearings). Everything does not need to be sorted out now. As an alternative, the Commission could find locations and times for public hearings, schedule the locations and times for public hearings and notify the public of the Commission's intent to conduct public hearings. The public notice could provide that the Commission would not hold the public hearings unless someone formally advised the Commission of a desire to participate in a public hearing. If no indication of interest is received, perhaps public hearings are not necessary. The Engineer-Manager will need to prepare public notices. Dreher and Anderson were requested to contact their respective Attorney General to look at the issue of whether the public hearings can be cancelled if there is no interest. It was suggested that the Commissioners might distribute the notices to courthouses. Dreher and Anderson are to get back to Barnett within two weeks regarding the decisions of the Attorney Generals.

The Commission then moved to the state reports under agenda item XII. Commissioner Anderson reported that Utah is concerned about its water supply. The first state drought reporting committee meeting is scheduled for next week and subsequent meetings will be held as needed.

Commissioner Tyrrell then reported that the snowpack, with the exception of the Bear River, is better than last year in Wyoming. In Division 3, there is a new superintendent in Riverton, Lorin Smith. Wyoming had three bills before the legislature relating to changing the temporary water use statute to make it a little more flexible. None of the bills passed. The topic has gone to interim study.

Commissioner Dreher reported that the Idaho legislature is now in its longest session in history. It is trying to grapple with the state's revenue shortfall problems. In Idaho, 95% of the general fund goes to four areas; health & welfare, corrections, public education and higher education. One piece of legislation which passed significantly narrowed the scope of what is termed local public interest that can be considered in water right actions concerning either permits to appropriate water or water right transfers. Under the new law, the only public interest considerations that the department can consider are those that are related to impacts on the water resource. Secondary economic impacts and secondary environmental impacts cannot be considered. In terms of the water supply in Idaho, it is about the same as last year with the exception of two areas that are worse, one being the Bear River area.

Dreher indicated that Idaho has broken ground on a new facility that will be termed the Idaho Water Center. They will co-locate: 1) the Department of Water Resources, which deals with water policy, water rights administration, water management and water planning; 2) graduate academic programs from the University of Idaho; 3) the Idaho Water Resources Research Institute; 4) the Forest Service Rocky Mountain Research Station; 5) the third year law program from the University of Idaho that specializes in water law. This will provide a better focus to some of the research that is done in water resources, shift the emphasis of that research from basic research to applied research and then there will be access to the best Idaho researchers. The facility should be completed in the fall of 2004. Dreher would like to host the fall of 2004 Commission meeting in Boise.

Bear River Commission

April 15, 2003

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Chair Hansen asked for other items of business under agenda item XIII. Commissioner Dreher indicated that Norm Young retired at the end of February. The Commission then moved to the final agenda item and it was then determined that the next Bear River Commission meeting would be held in Salt Lake City on Tuesday, November 18, 2003. The meeting was adjourned at 3:45 p.m.

ATTENDANCE ROSTER

BEAR RIVER COMMISSION ANNUAL MEETING

Utah Department of Natural Resources Building
Salt Lake City, Utah
April 15, 2003

IDAHO COMMISSIONERS

Karl J. Dreher
Rodney Wallentine
Dean M. Mathews

WYOMING COMMISSIONERS

Patrick T. Tyrrell
James L. Crompton
John A. Teichert
Sue Lowry (Alternate)
Gordon Thornock (Alternate)
Jade Henderson (Alternate)

FEDERAL CHAIR

Dee C. Hansen

UTAH COMMISSIONERS

D. Larry Anderson
Blair R. Francis
Charles Holmgren
Joseph Larsen
Norman Weston

ENGINEER-MANAGER & STAFF

Jack A. Barnett
Don A. Barnett
Nola Peterson

OTHERS IN ATTENDANCE

IDAHO

Hal Anderson, Department of Water Resources

UTAH

Todd Adams, Division of Water Resources
Mike Allred, Division of Water Quality
Will Atkin, Division of Water Rights
Bob Fotheringham, Division of Water Rights
Jerry Olds, Division of Water Rights
Paul Riley, Division of Water Resources Board
Randy Staker, Division of Water Resources

WYOMING

Kevin Payne, State Engineer's Office
Kevin Wilde, State Engineer's Office

OTHERS

Marvin Bollschweiler, Wyoming
Randy Budge, Bear River Water Users Association
Clinton Burt, Bear River Water Conservancy District
Carly Burton, PacifiCorp

APPENDIX A
PAGE TWO

Francoise Cleveland, Senator Craig's office
Claudia Conder, PacifiCorp
Claudia Cottle, Bear Lake Watch
David Cottle, Bear Lake Watch
Eric Duffin, Cirrus Ecological Solutions
Scott Evans, Cirrus Ecological Solutions
Kelly Holt, PacifiCorp
Voneene Jorgensen, Bear River Water Conservancy District
Patrick Lambert, U.S. Geological Survey
Steve Noyes, U.S. Bureau of Reclamation
Jeff Phillips, U.S. Geological Survey
Mitch Poulsen, Bear Lake Regional Commission
Don Riches, Emerald Beach, Inc.
Paul Shields, Emerald Beach, Inc.
Bob Snyder, Bear Lake Yacht Club
Al Trout, Bear River Migratory Bird Refuge
Jody Williams, PacifiCorp

AGENDA

Bear River Commission Annual Meeting
April 15, 2003

Utah Department of Natural Resources
Auditorium
1594 West North Temple
Salt Lake City, Utah

COMMISSION AND ASSOCIATED MEETINGS

April 14

3:00 p.m. Informal meeting of TAC members, Room 314

April 15

9:00 a.m.	Records & Public Involvement Committee Mtg, Room 314	Teichert
10:00 a.m.	Operations Committee Meeting, Room 314	Francis
11:00 a.m.	Informal Meeting of Commission, Room 314	Barnett
11:15 a.m.	State Caucuses and Lunch	Dreher/Tyrrell/Anderson
1:00 p.m.	Commission Meeting, Auditorium	Hansen

ANNUAL COMMISSION MEETING

April 15, 2003

Convene Meeting: 1:00 p.m., Chair Dee Hansen

I.	Call to order	Hansen
	A. Welcome of guests and overview of meeting	
	B. Approval of agenda	
II.	Approval of minutes of last Commission meeting (November 19, 2002)	Hansen
III.	Report of Secretary/Treasurer	Anderson
IV.	Election of officers	Hansen
V.	Overview of water supply	Julander
VI.	PacifiCorp issues	Holt
	A. Relicensing with FERC	

APPENDIX B
PAGE TWO

- B. Amended Settlement Agreement
- C. Dredging
- D. Water deliveries in 2003

- VII. Report of the Water Quality Committee
 - A. Cirrus report
 - B. Activities of the committee and the BRWQTF

- VIII. Report of the Records & Public Involvement Committee

- IX. Report of the Operations Committee

- X. Engineer-Manager and TAC report

- XI. Items from the Management Committee

- XII. State Reports
 - A. Utah
 - B. Wyoming
 - C. Idaho

- XIII. Other Items

- XIV. Next Commission Meeting

Barnett
Evans/Duffin
Barnett/Allred/Poulsen

Teichert

Francis

Barnett

Tyrrell

Anderson
Tyrrell
Dreher

Hansen

Hansen

Anticipated adjournment: 3:30 p.m.

BEAR RIVER COMMISSION

STATEMENT OF INCOME AND EXPENDITURES

FOR THE PERIOD OF JULY 1, 2002 THRU APRIL 03, 2003

INCOME	CASH ON HAND	OTHER INCOME	FROM STATES	TOTAL REVENUE
Cash Balance 07-01-0:	100,833.55			100,833.55
State of Idaho			35,000.00	35,000.00
State of Utah			35,000.00	35,000.00
State of Wyoming			35,000.00	35,000.00
US Fish & Wildlife				
EPA Grant		6,250.00		
Interest on Savings		2,146.72		1,155.23
TOTAL INCOME TO APRIL 3, 2003	100,833.55	8,396.72	105,000.00	214,230.27

DEDUCT OPERATING EXPENSES

	APPROVED BUDGET	UNEXPENDED BALANCE	EXPENDITURES TO DATE
Stream Gaging/USGS Contract	52,415.00	0.00	52,415.00
SUBTOTAL	52,415.00	0.00	52,415.00
EXPENDED THROUGH COMMISSION			
Personal Services Jack	49,585.00	12,396.28	41,320.80
Travel (Eng-Mgr)	1,200.00	434.62	765.38
Office Expenses	1,600.00	60.28	1,539.72
Printing Biennial Report	2,000.00	2,000.00	0.00
Treasurer Bond & Audit	1,400.00	1,300.00	100.00
Printing	1,600.00	521.32	1,126.08
Contingency	5,000.00	5,000.00	0.00
SUBTOTAL	62,385.00	17,533.02	44,851.98
EPA WATER QUALITY GRANT	22,285.46	6,722.54	15,562.92
TOTAL EXPENSES	137,085.46	24,255.56	112,829.90
CASH BALANCE AS OF 04-03-03			101,400.37

APPENDIX C
PAGE TWO

BEAR RIVER COMMISSION

DETAILS OF EXPENDITURES

FOR PERIOD ENDING APRIL 3, 2003

561	Jack Barnett	4,132.08
562	Bear Lake Regional Commission	100.00
563	Jack Barnett	4,132.08
564	Cirrus Ecological Solutions	3,594.34
565	Jack Barnett	4,546.13
566	Jack Barnett	4,767.50
567	Cirrus Ecological Solutions	1,762.07
568	Jack Barnett	4,253.70
569	Jack Barnett	1,503.51
570	Cirrus Ecological Solutions	2,288.16
571	Jack Barnett	4,715.18
572	Jack Barnett	5,074.97
573	Cirrus Ecological Solutions	5,356.07
574	USGS	52,415.00
575	Cirrus Ecological Solutions	1,058.77
576	Jack Barnett	4,219.89
577	CNA Surety	100.00
578	Jack Barnett	4,279.81
579	Jack Barnett	4,530.64

TOTAL EXPENSE 112,829.90

BANK RECONCILIATION

Cash in Bank per Statement 04-03-03	914.07
Plus: Intransit Deposits	
Less: Outstanding Checks	
Total Cash in Bank	914.07
Plus: Savings Account-Utah State Treasurer	100,486.30
TOTAL CASH IN SAVINGS AND IN CHECKING ACCOUNT	101,400.37

EPA GRANT
AS OF APRIL 10, 2003

TOTAL AMOUNT OF GRANT: 30,000.00
TOTAL AMOUNT RECEIVED: 30,000.00

7,714.54 WAS SPENT IN FY2002.
22,285.46 IS EXPECTED TO BE SPENT IN FY2003.

REVENUE	
<u>DATE</u>	<u>AMOUNT</u>
04/30/2002	12,500.00
06/28/2002	11,250.00
01/28/2003	<u>6,250.00</u>
TOTAL REVENUE	30,000.00

EXPENSES		
<u>DATE</u>	<u>PAYEE</u>	<u>AMOUNT</u>
03/01/2002	JACK BARNETT	47.75
03/27/2002	JACK BARNETT	2,475.60
04/28/2002	CIRRUS	246.50
05/31/2002	CIRRUS	3,238.97
06/27/2002	CIRRUS	1,705.72
08/15/2002	CIRRUS	3,594.34
10/21/2002	CIRRUS	1,762.07
10/28/2002	JACK BARNETT	1,503.51
11/25/2002	CIRRUS	2,288.16
01/13/2003	CIRRUS	5,356.07
01/22/2003	CIRRUS	<u>1,058.77</u>

JACK BARNETT HAS BEEN PAID 4,026.86 FROM
THE GRANT. 973.14 REMAINS.

CIRRUS ECOLOGICAL SOLUTIONS HAS BEEN PAID
19250.60 FROM THE GRANT
5749.40 REMAINS ON CIRRUS' 25,000.00 CONTRACT

TOTAL EXPENSES 23,277.46

TOTAL FY2002 EXPENSES 7,714.54
TOTAL FY2003 EXPENSES 15,562.92

TOTAL EXPENSES 23,277.46

GRANT BALANCE 6,722.54

BEAR RIVER COMMISSION

APPROVED BUDGET FOR FY 2003, AND PROPOSED BUDGETS FOR FY2004 AND FY2005

DESCRIPTION	FY 2003 APPROVED BUDGET	FY 2004 PROPOSED BUDGET	FY 2005 PROPOSED BUDGET
INCOME			
BEGINNING BALANCE	100,833.55	101,083.55	103,498.55
IDAHO	35,000.00	35,000.00	35,000.00
UTAH	35,000.00	35,000.00	35,000.00
WYOMING	35,000.00	35,000.00	35,000.00
USF&WS	6,050.00	6,100.00	6,150.00
INTEREST ON SAVINGS	4,000.00	4,000.00	4,000.00
TOTAL INCOME	<u>215,883.55</u>	<u>216,183.55</u>	<u>218,648.55</u>
EXPENDITURES			
STREAM GAGING-U.S.G.S. (a)	52,415.00	50,300.00	51,810.00
PERSONAL SERVICES CONTRACT-BARN	49,585.00	49,585.00	51,073.00
TRAVEL	1,200.00	1,200.00	1,200.00
OFFICE EXPENSES	1,600.00	1,600.00	1,600.00
PRINTING BIENNIAL REPORT	2,000.00	2,000.00	2,000.00
TREASURER'S BOND & AUDIT	1,400.00	1,400.00	1,400.00
PRINTING	1,600.00	1,600.00	1,600.00
CONTINGENCY	5,000.00	5,000.00	5,000.00
TOTAL EXPENDITURES	<u>114,800.00</u>	<u>112,685.00</u>	<u>115,683.00</u>
UNEXPENDED CASH BALANCE	<u>101,083.55</u>	<u>103,498.55</u>	<u>102,965.55</u>

NOTE a. THE AMOUNT OF THE STREAM GAGE CONTRACT FOR 2004 IS LOWER BECAUSE THE COMMISSION DROPPED THE PASCADERO GAGE.

**SUMMARY OF 2000-2002 BEAR LAKE/BEAR RIVER OPERATION
AND PROJECTED WATER SUPPLIES FOR 2003**

April 15, 2003

Bear Lake

High elevation – spring of 2000	5919.78 (May 22, 2000)
Low elevation – fall of 2002	5907.57 (Dec. 2, 2002)
Net storage decrease	811,000 acre feet
Bear Lake net runoff (2000,2001,2002)	66,000 acre feet
Bear Lake net runoff as % of median value	21% (median =313,000)
Projected runoff – April 1, 2000	202,000 acre feet (70%)
Actual runoff – April-July, 2000	46,000 acre feet (16%)
Projected runoff – April 1, 2001	58,000 acre feet (20%)
Actual runoff – April-July, 2001	16,000 acre feet (5.6%)
Projected runoff – April 1, 2002	110,000 acre feet (38%)
Actual runoff – April – July, 2002	8,000 acre feet (2.8%)
Bear Lake irrigation allocation – 2002	215,000 acre feet
Actual storage release – 2002	204,201 acre feet
Headgate delivery	182,610 acre feet
Decreed losses	7482 acre feet
Inadvertent losses	14,109 acre feet
Basin snowpack (April 14, 2002)	53%
Basin snowpack (April 14, 2003)	60%
Projected runoff (April 1, 2003 forecast)	106,000 acre feet (37%)
Current lake elevation (April 13, 2003)	5908.43
Projected high elevation, spring 2003	5909.00
Projected irrigation allocation for 2003	181,000 acre feet
Headgate delivery	174,500 acre feet
Decreed losses (3.6%)	6,500 acre feet
Inadvertent losses	17,000 acre feet
Projected total storage release*	198,000 acre feet (allocation + inadvertent)
*Assumes revision of Bear Lake Settlement Agreement	
Projected low lake level – fall of 2003	<i>5904.5</i> 5903.5 (lowest elevation since 1936)

Bear River

Bear River below Cutler	
2001 flow	294,000 acre feet (27%)
2002 flow	267,000 acre feet (24%)*

*lowest flow on record since 1889

**BEAR RIVER COMMISSION
INTERIM PROCEDURES FOR LOWER DIVISION WATER DELIVERY**

INSERT IN APPENDIX B

Under Section III. DISTRIBUTION, modify Subparagraph D., Page B-3, to read as follows:

- D. Based upon studies performed by the States of Idaho and Utah, it has been determined that depletions to the mainstem Bear River from existing groundwater development (as of April 2003) are approximately 4.9 c.f.s. in Idaho and 4.1 c.f.s. in Utah. These depletions, relative to the total flows in the Bear River, are small and cannot be accurately measured and accounted for using the mainstem gages on the Bear River. Therefore, under these Interim Procedures during a Lower Basin water emergency, groundwater depletions will not be accounted for or administered in the distribution of water according to the integrated water delivery schedule set forth herein. Both states shall continue to monitor and study the impact of groundwater diversions on the flows of the Bear River, and the effects of groundwater depletions will be included as required by each state under the water distribution and accounting laws and administrative rules of that state. To prevent or mitigate depletions to the mainstem Bear River from future groundwater appropriations, the Director of the Department of Water Resources in Idaho shall act pursuant to and in conformance with the groundwater management plan for the Bear River Ground Water Management Area promulgated by the Idaho Department of Water Resources, and the State Engineer in Utah shall act pursuant to and in conformance with the provisions of the Interim Cache Valley Groundwater Management Plan promulgated by the Utah Division of Water Rights.