

# BEAR RIVER COMMISSION

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Bountiful, UT 84010-6232  
(801) 292-4662  
(801) 524-6320 (fax)

## MINUTES

### BEAR RIVER COMMISSION REGULAR MEETING ONE-HUNDRED SEVENTH COMMISSION MEETING

November 1, 2005

The regular meeting of the Bear River Commission was called to order by Chairman Dee Hansen at 1:00 p.m. on Tuesday, November 1, 2005 at the Utah Department of Natural Resources building in Salt Lake City, Utah. This was the one-hundred and seventh meeting of the Commission. Hansen welcomed everyone to the meeting and asked all in the room to introduce themselves. An attendance roster is attached as Appendix A.

Chairman Hansen presented the proposed agenda for the meeting. It was noted that the Utah State Engineer, Jerry Olds, had requested time on the agenda and would give a presentation upon his arrival. 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 April 19, 2005 Commission meeting. There were a few changes suggested by Commissioner Karl Dreher. 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 Commissioner Larry Anderson for the Secretary-Treasurer's report under agenda item III. Anderson asked Randy Staker to review the budget information. Staker distributed handouts and reviewed the financial information with the Commission. A copy of the handouts is attached as Appendix C. Staker pointed out that the income from the U.S. Fish & Wildlife Service (\$12,400) is for FY 04 and FY 05 payments. There was a check lost in the mail and subsequently there was a bank charge of \$25 to stop payment on the check. Staker further reported that an additional checking account was set up for the Environmental Protection Agency (EPA) water quality grant and the Commission transferred \$100 to create this account. The money will be transferred back to the Commission account. In the spring of 2006 the Commission will discuss any need to increase the state dues. There were no questions for Staker or Anderson and there was a motion to approve the Secretary-Treasurer's report. The motion was seconded and carried.

#### COMMISSION MEMBERS

##### Chair

Dee C. Hansen

##### Idaho Members

Karl J. Dreher  
Rodney Wallentine  
Dean M. Mathews

##### Utah Members

Dennis J. Strong  
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

Chairman Hansen then moved to agenda item IV, a discussion of the legislation for a new storage study. Jack Barnett indicated that the Commission has had presentations and discussions concerning the desire of some to have additional studies made to analyze whether or not storage can be built above Bear Lake. During the last discussion on this issue it was noted that the legislatures of Idaho and Wyoming were resolving formally a motion to encourage the Army Corps of Engineers be authorized to conduct studies. Barnett indicated he had not heard much on the subject until a few weeks ago when an Army Corps of Engineers employee from Bountiful, Utah reported at a meeting Barnett attended that the Corps was getting ready to spend the \$200,000 to study storage sites above Bear Lake. Barnett needed additional information and consequently obtained a copy of the House and Senate appropriation bills for the Bureau of Reclamation and the Army Corps of Engineers. The bills have passed both the House and the Senate but there has not been a meeting of a conference committee.

Barnett indicated he could not find any reference to a Bear Lake proposed study and its authorization. After many phone calls, Barnett talked with an aide to Senator Thomas of Wyoming and learned that in the Senate committee report there is reference to "Bear River - Wyoming." It was explained that this designation of "Bear River - Wyoming" is because language was requested by a Wyoming Senator. That is all that is presently known about this issue. The Management Committee has asked the Technical Advisory Committee (TAC) to stay close to this issue and report back findings as they develop. Commissioner Pat Tyrrell indicated it is curious how this is evolving and where it is headed. It is sought by Wyoming but the flood studies would be made up and down the river. Barnett indicated he would make further inquiries of the Army Corps of Engineers. The scope of the studies should be evaluated.

The Commission then moved to agenda item V, a report from PacifiCorp. Connely Baldwin distributed two handouts and discussed all items on the handouts. A copy of these handouts is included with this minutes as Appendix D. Baldwin noted the difference between the high and low elevation of Bear Lake for water year 2005 was about 6.6 feet. Bear Lake water was not delivered until July 15. Baldwin reported there was a late April/early May large rain event in Cache Valley. At the Cutler plant they measured 3" of precipitation in a 24-hour period. This resulted in a calculated inflow at Cutler at around 10,000 cfs. Commissioner Anderson asked about the current inflow into Bear Lake and Baldwin indicated it is relatively small, possibly between 100 to 200 cfs.

Monte Garrett then reported on the FERC decommissioning process. The Cove decommissioning is the subject of PacifiCorp's recent application to amend the Bear River license to allow decommissioning of the Cove development. In their most recent license, PacifiCorp was required to prepare a Cove feasibility study to evaluate several alternatives to benefit aquatic resources along the river by improving fish passage past the dam or evaluating the benefits of decommissioning that project. PacifiCorp completed the study in June of 2004. The recommendation of PacifiCorp was to decommission the Cove and it was submitted in December of 2004. Between December of 2004 and July of 2005, PacifiCorp negotiated a settlement agreement that outlined the details of how the dam would be removed and developed a rationale of why it should be removed and an environmental analysis. The settlement agreement was signed in

July. In August, PacifiCorp filed an offer of settlement to FERC. In September, FERC issued a notice to the public. Comments are due by November 14. The amended license is expected in June of 2006. The benefits to this process is an unencumbered reach of the Bear River for the passage of native fish, particularly Bonneville Cutthroat Trout, and it provides for river processes and improvement of aquatic resources along this stretch of the Bear River. The decommissioning of Cove is coupled with a requirement to reduce the minimum flow requirement of the Grace project from 80 cfs to 63 cfs. The dam removal will be done in phases.

The Bear River FERC Settlement Agreement was then reviewed. Two articles were included in the agreement that required PacifiCorp to provide funding for various restoration projects to benefit aquatic resources in the action area, just below Bear Lake down to as far as the Utah-Idaho border. Another funding tool was to provide for land acquisition and acquisition of water rights if they are available to benefit aquatic resources. The restoration project funding is \$167,000 per year and the land and water acquisition funding is \$300,000 per year. There can be a carryover each year. For the restoration process, the Environmental Coordination Committee (ECC) has developed the proposal process and advertises the availability of funding and encourages submission of proposals for various restoration projects. A subcommittee of the ECC evaluates the proposals against a ranking criteria and awards funding for projects. This is the first year money has been available. An example of a project awarded funding is the screening of irrigation diversions. They divert all the water to provide for irrigation during certain times of the year and provide for a fish ladder or screening facilities to prevent fish from being entrained in the canals and provide passageways. A second project is moving a feedlot, the effluent of which runs into a tributary of the Bear River affecting the water quality. Another project is fencing a riparian area along the Bear River just above Oneida. Funds will be available from this year until 2034.

It was asked if this came about because of a requirement in the FERC permitting process and if it was for a specific hydropower plant or for all plants on the river. It was indicated that this is a part of the permitting process and the "Bear River Project" is comprised of Soda, Grace, Cove and Oneida. Cutler is a separate license.

Chairman Hansen then asked Carly Burton to give a report from the Bear River Water Users Association (BRWUA) under agenda item VI. Burton distributed a handout and a copy of this handout is attached as Appendix E. Burton also indicated that Terry Gnehm, a Utah River Commissioner, passed away this year, as well as Frank Nishiguchi, a member of the board of the Utah Water Users Association. Burton then reviewed the information on the handout. He pointed out that with regard to the data logger installation, Roger Hansen from the Bureau of Reclamation installed the loggers and he is currently with the FEMA in Houston but the loggers will be up and running late this fall or in the early spring. Burton then reported that the board of the BRWUA met with Bear Lake Watch and other groups and discussed Bear Lake operations, what-if scenarios, a possible symposium, water banking, and whether the Bear Lake Settlement Agreement needs to be changed.

The Commission then heard a report on water quality trading by Arthur Caplan from the Department of Economics at Utah State University (USU). Caplan updated the Commission on the Targeted Watershed project funded by the Commission after receiving an EPA grant. The USU Water Lab and some of the College of Natural Resources water quality modelers are involved, as well as Caplan who is a professor of economics at USU. This is part of the EPA national watershed effort to assess the feasibility of water quality trading and pollution trading in different watersheds through the country. The approach in the Bear River Basin study is to take the EPA Region 10 handbook and apply the EPA guidelines to the basin. Caplan then gave a lengthy Power Point presentation on water quality trading and a copy of the slides from his presentation are attached to these minutes as Appendix F.

Chairman Hansen then turned the time to Boyd Clayton and Aaron Hunt for a report on the progress of the automation of the Lower Bear under agenda item VIII. Clayton reviewed the history of the automation project. The automation project on the Upper Bear River started in 2004 with the installation of 12 monitoring stations. The project was modeled after other projects in the State of Utah (State) where Reclamation was the real work horse. They are now trying to automate about 100 stations on the Lower Bear River. The goal is to improve the timeliness in gathering information so water can be better distributed and there would be a reduction in conflict. Utah saw a decline in the record keeping as individuals have not maintained measurement devices and the State was not developing a record that could be used in the future. They looked at the State code regarding water user responsibility and it is clear that it is the responsibility of the water user to install and maintain measuring devices.

The model being used divides the measurement devices and water user responsibilities. Expenses to operate a distribution system are a responsibility of the distribution system. This is a cooperative effort. Each water user is expected to have a measuring device. The water users were told the State would find a way for the automation to be funded but when the system is running the water users would be responsible for the ongoing costs. The State looked at ways to decrease costs and suggested to the water users that if the water users would provide permanent power for the automation equipment the State would provide a credit system to help with the measurement devices.

Clayton reported that the system was built as a series of simple collection devices and the processing of data was moved to a centralized system. The State has expended about \$110,000 on equipment, the irrigators have spent about \$10,000 and the State has agreed to provide about \$80,000 worth of man-power hours. The State was able to get a 2025 grant from the Department of the Interior up to a maximum of \$123,500. The Utah legislature also provided a supplemental appropriation of \$100,000. There has been a great deal of cooperation and support on all levels. There are a number of repeating stations.

Aaron Hunt then reported that the water users were given four choices of sensors: ultrasonic depth sensor (\$450), there will be two of these on the system; on/off pressure sensor (\$10 to \$20), there will be 58 of these on the system; on/off float sensor (\$10 to \$20), there will be 9 of these on the system; dynasonic flow sensor, which is the most accurate sensor (\$1,060), and there will be

51 of these sensors when the system is complete. About two-thirds of the water users put in AC power and received power credit. Hunt then discussed the workings of the system. The River Commissioners have the responsibility to look at the data collected. Early indications are that the system will work well.

The Commission then heard a report from the Water Quality Committee under agenda item IX. Walt Baker reported the committee met on Monday, October 31 and discussed several items. The EPA grant continues to be a major element of water quality. The committee discussed a Bear River water quality monitoring plan which is a collaboration between the three states to make more efficient use of resources and have more meaningful data. A final version of the monitoring plan should be ready in about six weeks and the committee should be able to report back on this effort at the spring Commission meeting. With regard to TMDLs in the three states, Wyoming does not have a TMDL program but has a watershed initiative in the Evanston area in the implementation phase; in Idaho, the TMDL on the Bear River will be adopted by the end of the year; in Utah, the Cutler Reservoir TMDL is proceeding with a change in the scope of work and the Upper Bear River TMDL in Utah will be submitted to the EPA by April 1. There are some significant changes in how wastewater treatment plants in the three states are dealing with phosphorous limits. There were no questions for Baker.

Jack Barnett reported that with regard to the EPA grant administration, Utah State University has submitted a \$30,000 bill. He also reported the administration of the grant is going smoothly and it was a good decision by the Water Quality Committee to solicit proposals for the modeling effort. Utah State University was the successful proposer. Perhaps at the April Commission meeting the person in charge of the modeling can give a brief update.

Chairman Hansen then asked for the report of the Operations Committee under agenda item X. Commissioner Rodney Wallentine reported a number of modifications to the Lower Division Water Delivery Schedule have been stalled until the next committee meeting. The operation and plugging of Woodruff Narrows outlet that needed to be cleared was reported to the committee by Blair Francis. The committee also discussed the storage situation. Don Barnett indicated Sulphur Creek and Whitney will be able to fill and Woodruff Narrows Reservoir will be restricted to about 3,500 acre-feet short of being full based on the original Compact allocation, transfers and carryover. There were no questions for Wallentine.

The time was then turned to Commissioner Gordon Thornock for a report from the Records & Public Involvement Committee. Thornock welcomed Dean Mathews back to the Commission meetings. The committee recommends the Pixley gage be upgraded to include automation equipment so real-time data can be retrieved. The cost to the Commission would be a one-time cost of \$2,000 and \$150 operational costs each year. There was a motion that the Pixley Gage be upgraded with automation equipment. Commissioner Anderson then indicated he has before him the USGS contract and needs authorization from the Commission to sign a contract for \$56,200. The motion was amended to include the Pixley authorization. The motion was seconded and carried giving Larry Anderson clearance to sign the USGS contract.

Thornock then reported the TAC is reviewing additional information that could be added to the website, such as the Wally Jibson history and past minutes. The committee also discussed diversion structures, telemetry and an effort to sponsor and organize a Bear River symposium in the fall of 2006. Claudia Cottle will have additional information at the April 2006 Commission meeting. There were no questions for Thornock.

Jack Barnett was then asked to give the Engineer-Manager report. Barnett briefly reviewed issues he and/or the TAC will be pursuing before the next Commission meeting. The issues include: 1) the flow regime and storage capacity of Mud Lake; 2) the opportunity for enhanced storage in Bear Lake; 3) additions to the Delivery Schedule and how to handle the reporting of pumpers as they are allocated through their respective associations; 4) the opportunity for a symposium and the role of the Commission in such a symposium; 5) Army Corps of Engineers' authorization, if it becomes a reality, regarding storage above Bear Lake; 6) the Commission website; 7) stream gaging program. There were no questions for Barnett

The Commission then heard a brief report from the Management Committee under agenda item XIII. Commissioner Karl Dreher reported that the Management Committee discussed income and expenditures and determined the Commission is spending somewhat more than what is received in the form of dues but there is not a need to raise dues for about two years. The issue of the next Commission meeting was discussed. According to the bylaws, the annual meeting is to be held on the third Tuesday of April. Easter Sunday is two days before the Commission meeting. The Water Quality Committee and the TAC would meet on Monday and would possibly need to travel on Easter Sunday. There was a motion to hold the Commission meeting on Wednesday, April 19, 2006. The motion was seconded and carried. There were no questions for Dreher or the other members of the Management Committee.

Chairman Hansen then asked for the state reports under agenda item XIV. Commissioner Anderson reported that two task forces that have been doing studies in the State of Utah. The Water Delivery Financing Task Force has completed its report on suggested ways that the State of Utah could fund the Bear River Development Project for northern Utah and the Lake Powell Pipeline Project for southern Utah. There will be several pieces of legislation introduced this year that will move the process along allowing the Division of Water Resources to buy rights of way, to buy land, to do additional design work and to begin environmental impact statements so a block of money will be made available if the bills pass. The Water Issues Task Force proposed several pieces of legislation last year for the State Engineer which all passed. Two bills will be proposed this year by this task force, one dealing with a ground water basin where there have been more allocations than water available and the second dealing with the reuse of sewage effluent.

Commissioner Tyrrell then reported that Wyoming is in a budget season. The budget will be presented to the Governor this week for FY 07 and 08. Wyoming has done well economically the past couple of years because of coal bed methane. The budget will include an employee who will work in the Colorado River Basin. Tyrrell reported that Gary Beach passed away. Gary was formerly a member of the Water Quality Committee. Tyrrell read a portion of a Resolution of

Appreciation and requested that the Commission include in the minutes a copy of the resolution. A copy of the resolution is attached to these minutes as Appendix G. There was a motion to accept the Resolution of Appreciation for Gary Beach. The motion was seconded and carried. Wyoming will hand-deliver a framed resolution to Gary's family.

Commissioner Dreher reported that the weather that aided the Bear River Basin also aided the Snake River Basin. The reservoir systems recovered somewhat this year. Nine priority calls were made against junior priority ground water rights. As a result of this, Dreher issued a number of orders requiring curtailment of ground water for mitigation. As a result of those orders, there are now five law suits filed.

There being no other items of business for the Commission, the meeting was adjourned at 3:15 p.m. and Commission members were reminded that the next Commission meeting will be on Wednesday, April 19, 2006.

## ATTENDANCE ROSTER

### BEAR RIVER COMMISSION ANNUAL MEETING

Utah State Capitol  
Salt Lake City, Utah  
November 1, 2005

#### IDAHO COMMISSIONERS

Karl Dreher  
Rodney Wallentine  
Dean Mathews

#### WYOMING COMMISSIONERS

Patrick T. Tyrrell  
Sam Lowham  
Gordon Thornock  
Sue Lowry (Alternate)  
Jade Henderson (Alternate)

#### FEDERAL CHAIR

Dee C. Hansen

#### UTAH COMMISSIONERS

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

#### ENGINEER-MANAGER & STAFF

Jack A. Barnett  
Don A. Barnett  
Nola Peterson

#### OTHERS IN ATTENDANCE

##### IDAHO

Hal Anderson, Department of Water Resources  
Pete Peterson, Water Master

##### UTAH

Todd Adams, Division of Water Resources  
Will Atkin, Division of Water Rights  
Walt Baker, Department of Environmental Quality  
Boyd Clayton, Division of Water Rights  
Bob Fotheringham, Division of Water Rights  
Aaron Hunt, Division of Water Rights  
Randy Staker, Division of Water Resources

##### WYOMING

Erick Esterholdt, State of Wyoming  
Kevin Payne, State Engineer's Office  
Don Shoemaker, Water Commissioner  
Kevin Wilde, State Engineer's Office

##### OTHERS

Cory Angeroth, U.S. Geological Survey  
Connely Baldwin, PacifiCorp  
Carly Burton, Bear River Water Users Association  
Arthur Caplan, Utah State University



**APPENDIX A**  
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Claudia Conder, PacifiCorp  
Claudia Cottle, Bear Lake Watch  
David Cottle, Bear Lake Watch  
Dan Davidson, Bear River Canal Company  
Monte Garrett, PacifiCorp  
Voneene Jorgensen, Bear River Water Conservancy District  
Leslie Mathews, visitor  
Steve Noyes, U.S. Bureau of Reclamation

**PROPOSED  
AGENDA**

Bear River Commission Annual Meeting  
November 1, 2005

Utah Department of Natural Resources  
Auditorium  
Salt Lake City, Utah

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COMMISSION AND ASSOCIATED MEETINGS

October 31

10:30 a.m. Water Quality Committee Meeting, Room 314  
2:30 p.m. Technical Advisory Committee Meeting, Room 314

November 1

9:00 a.m. Operations Committee Meeting, Room 314 Wallentine  
10:30 a.m. Records & Public Involvement Committee Mtg, Room 314 Thornock  
11:30 a.m. Informal Meeting of Commission, Room 314 Barnett  
11:45 a.m. State Caucuses and Lunch Dreher/Tyrrell/L. Anderson  
1:00 p.m. Commission Meeting, Auditorium Hansen

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REGULAR COMMISSION MEETING

November 1, 2005

**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 Hansen  
(April 19, 2005)
- III. Report of Secretary/Treasurer L. Anderson
- IV. Legislation for new storage study J. Barnett

**APPENDIX B  
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- |       |  |                  |
|-------|--|------------------|
| V.    | PacifiCorp   |                  |
|       | A. Water deliveries in 2005 and storage              | Baldwin          |
|       | B. Cove decommissioning                              | Garrett          |
|       | C. Projects on Bear River                            | Garrett          |
| VI.   | Activities of the Bear River Water Users Association | Burton           |
| VII.  | Study of water quality trading                       | Caplan/Whitehead |
| VIII. | Automation, Lower Bear - Utah (in progress)          | Clayton/Hunt     |

**BREAK**

- |       |  |            |
|-------|--|------------|
| IX.   | Report of the Water Quality Committee                |            |
|       | A. Activities of Water Quality Committee             | Baker      |
|       | B. EPA Grant Administration                          | Barnett    |
| X.    | Report of the Operations Committee                   | Wallentine |
| XI.   | Report of the Records & Public Involvement Committee | Thornock   |
| XII.  | Engineer-Manager and TAC report                      | Barnett    |
| XIII. | Items from the Management Committee                  | Dreher     |
| XIV.  | State Reports  |            |
|       | A. Utah  | Anderson   |
|       | B. Wyoming   | Tyrrell    |
|       | C. Idaho   | Dreher     |
| XV.   | Other Items  | Hansen     |
| XVI.  | Next Commission Meeting<br>(April 18, 2006)          | Hansen     |

**Anticipated adjournment: 3:30 p.m.**

BEAR RIVER COMMISSION

STATEMENT OF INCOME AND EXPENDITURES

FOR THE PERIOD OF JULY 1, 2004 THRU JUNE 30, 2005

INCOME	CASH ON HAND	OTHER INCOME	FROM STATES	TOTAL REVENUE
Cash Balance 07-01-04	80,445.86			80,445.86
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		12,400.00		12,400.00
Interest on Savings		2,866.91		2,866.91
<b>TOTAL INCOME TO JUNE 30, 2005</b>	<b>80,445.86</b>	<b>15,266.91</b>	<b>105,000.00</b>	<b>200,712.77</b>

DEDUCT OPERATING EXPENSES

	APPROVED BUDGET	UNEXPENDED BALANCE	EXPENDITURES TO DATE
Stream Gaging/USGS Contract	51,100.00	0.00	51,100.00
<b>SUBTOTAL</b>	<b>51,100.00</b>	<b>0.00</b>	<b>51,100.00</b>
<b>EXPENDED THROUGH COMMISSION</b>			
Personal Services Jack	50,577.00	-475.56	51,052.56
Travel (Eng-Mgr)	1,200.00	-358.70	1,558.70
Office Expenses	1,600.00	-272.80	1,872.80
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	-382.37	1,982.37
Contingency	5,000.00	5,000.00	0.00
<b>SUBTOTAL</b>	<b>63,377.00</b>	<b>6,810.57</b>	<b>56,566.43</b>
EPA WATER QUALITY GRANT	0.00	0.00	0.00
<b>TOTAL EXPENSES</b>	<b>114,477.00</b>	<b>6,810.57</b>	<b>107,666.43</b>
CASH BALANCE AS OF 06-30-05			93,046.34

APPENDIX C  
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BEAR RIVER COMMISSION

DETAILS OF EXPENDITURES

FOR PERIOD ENDING JUNE 30, 2005

609	JACK BARNETT	8,429.50
610	JACK BARNETT	4,647.32
611	JACK BARNETT	5,250.80
612	JACK BARNETT	4,771.76
613	LOST IN MAIL	
614	USGS	51,100.00
615	JACK BARNETT	4,806.47
	BANK SERVICE FEE	60.00
	TRANSFER TO BRC WATER QUALITY	100.00
616	JACK BARNETT	4,550.92
	STOP PAYMENT FEE	25.00
617	JACK BARNETT	4,242.16
618	VOID	0.00
619	JACK BARNETT	4,299.06
620	CAN SURETY	100.00
621	JACK BARNETT	4,378.58
	BANK SERVICE FEE	60.00
622	JACK BARNETT	4,556.49
623	VOID	0.00
624	JACK BARNETT	5,306.67
625	JACK BARNETT	101.31
627	JACK BARNETT	880.39

TOTAL EXPENSE 107,666.43

BANK RECONCILIATION

Cash in Bank per Statement 06-30-05	7,367.65
Plus: Intransit Deposits	
Less: Outstanding Checks	
Total Cash in Bank	7,367.65
Plus: Savings Account-Utah State Treasurer	85,678.69
TOTAL CASH IN SAVINGS AND IN CHECKING ACCOUNT	93,046.34

BEAR RIVER COMMISSION  
STATEMENT OF INCOME AND EXPENDITURES

FOR THE PERIOD OF JULY 1, 2005 THRU OCT 21, 2005

INCOME	CASH ON HAND	OTHER INCOME	FROM STATES	TOTAL REVENUE
Cash Balance 07-01-04	93,046.34			93,046.34
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		0.00		0.00
Interest on Savings		1,152.49		1,152.49
<b>TOTAL INCOME TO OCT 21, 2005</b>	<b>93,046.34</b>	<b>1,152.49</b>	<b>105,000.00</b>	<b>199,198.83</b>

DEDUCT OPERATING EXPENSES

	APPROVED BUDGET	UNEXPENDED BALANCE	EXPENDITURES TO DATE
Stream Gaging/USGS Contract	52,825.00	52,825.00	0.00
<b>SUBTOTAL</b>	<b>52,825.00</b>	<b>52,825.00</b>	<b>0.00</b>
<b>EXPENDED THROUGH COMMISSION</b>			
Personal Services Jack	52,095.00	34,730.32	17,364.68
Travel (Eng-Mgr)	1,200.00	1,135.12	64.88
Office Expenses	1,600.00	1,549.11	50.89
Printing Biennial Report	2,000.00	2,000.00	0.00
Treasurer Bond & Audit	1,400.00	1,400.00	0.00
Printing	1,600.00	1,528.00	72.00
Contingency	5,000.00	5,000.00	0.00
<b>SUBTOTAL</b>	<b>64,895.00</b>	<b>47,342.55</b>	<b>17,552.45</b>
EPA WATER QUALITY GRANT	0.00	0.00	0.00
<b>TOTAL EXPENSES</b>	<b>117,720.00</b>	<b>47,342.55</b>	<b>17,552.45</b>
<b>CASH BALANCE AS OF 10-21-05</b>			<b>181,646.38</b>

APPENDIX C  
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BEAR RIVER COMMISSION

DETAILS OF EXPENDITURES

FOR PERIOD ENDING OCTOBER 21, 2005

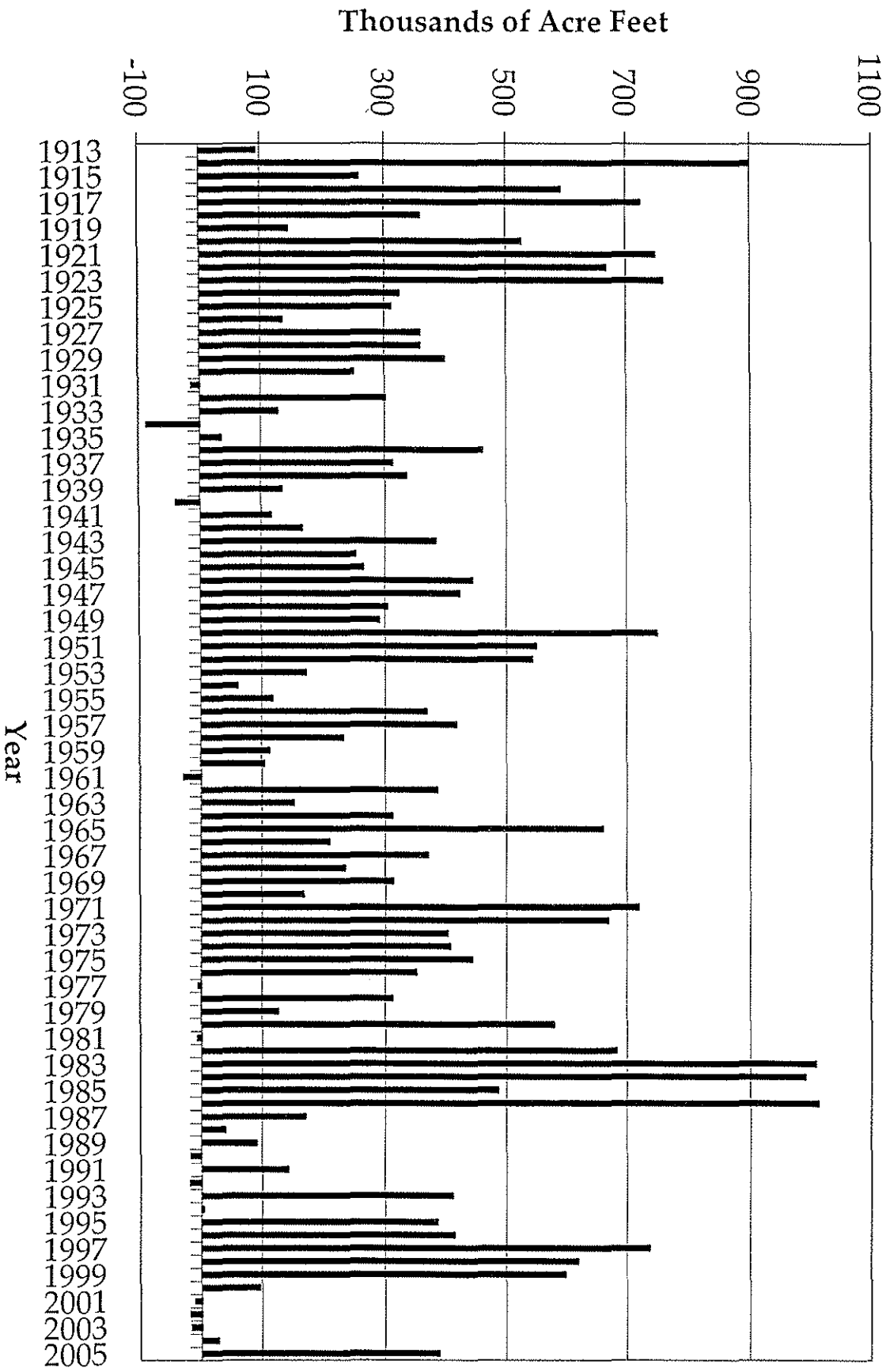
626	JACK BARNETT	4,320.42
628	JACK BARNETT	4,361.92
629	JACK BARNETT	4,513.14
630	JACK BARNETT	4,360.97

TOTAL EXPENSE 17,556.45

BANK RECONCILIATION

Cash in Bank per Statement 10-21-05	9,455.20
Plus: Intransit Deposits	
Less: Outstanding Checks	
Total Cash in Bank	9,455.20
Plus: Savings Account-Utah State Treasurer	172,191.18
TOTAL CASH IN SAVINGS AND IN CHECKING ACCOUNT	181,646.38

# Bear Lake Net Runoff - 1913 through 2005





**SUMMARY OF BEAR LAKE/BEAR RIVER OPERATION FOR 2005  
AND RUNOFF SCENARIOS FOR 2006**

2005 Bear Lake Operation

Low Elevation	5903.09'	October 27, 2004
High Elevation	5909.69'	July 10, 2005
Current Elevation	5907.72'	October 25, 2005
Bear Lake Irrigation Allocation	141,000 Ac. Ft.	
Apr. 1 Runoff Forecast	133,000 Ac. Ft. (57%)	– April through July
Rainbow Inlet Canal (April-July)	270,000 Ac. Ft.	
Outlet Canal Period of Release	June 26 to September 26	
Outlet Canal Total Release <sup>^</sup>	104,000 Ac. Ft.	
Outlet Canal Storage Release*	54,300 Ac. Ft.	
Storage Saved	86,700 Ac. Ft.	

*\* As computed by PacifiCorp (note that the difference between the total release and the storage release is natural flow per Dietrich Decree for Mud Lake and Bear Lake Tributaries plus Rainbow Canal inflows)*

“System Loss” Volume                 6,000 Ac. Ft.

2006 Bear Lake Level and Allocation Scenarios

Bear Lake Elevation as if October 25, 2005:   5907.72'

*Repeat of 2005 Scenario*

Same increase from Fall low to Spring high as in 2005

Spring 2006 high elevation (and associated allocation)                                 5914.3' (227,000 Ac. Ft.)

Fall 2006 low elevation (100 TAF of storage used + 2005 computed net inflow):   5912.9'

*Repeat of 2004 Scenario*

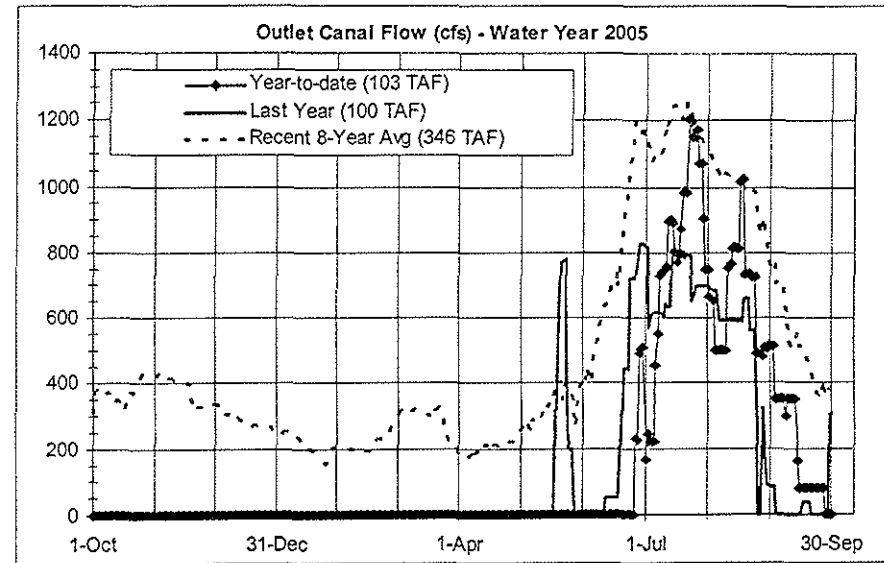
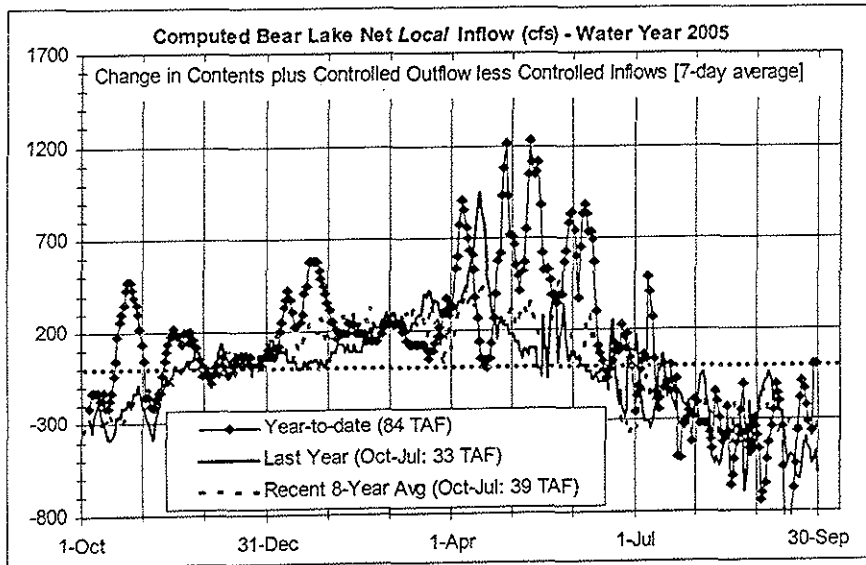
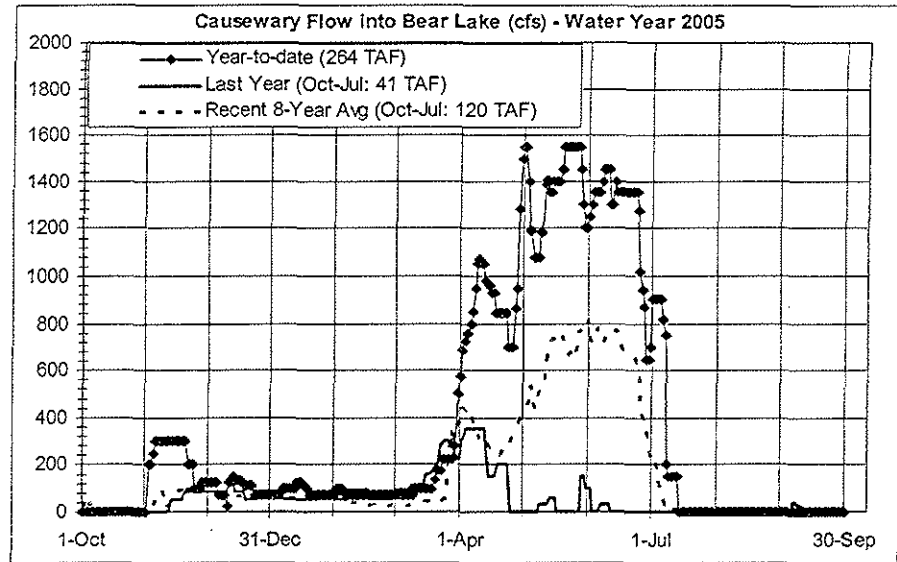
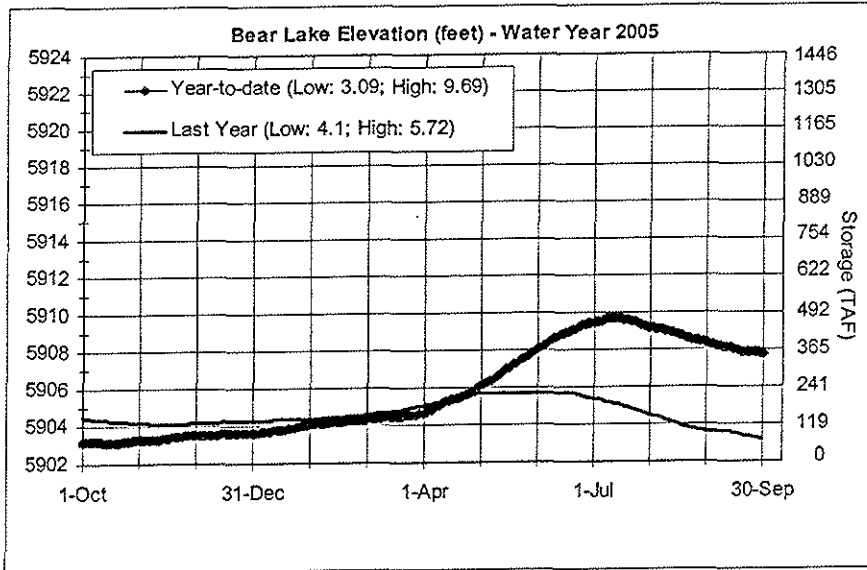
Same increase from Fall low to Spring high as in 2004

Spring 2006 high elevation (and associated allocation):                                 5909.3' (188,00 Ac. Ft.)

Fall 2006 low elevation (Allocation fully used + 2004 computed net inflow):     5905.5'

<sup>^</sup>*Estimated high elevation is based on the same increase from Fall low to Spring high.*

Graphs Comparing 2005 Water Year (labeled "Current") to 2004 Water Year ("Last Year") and Recent 8-year Average



BEAR RIVER WATER USERS ASSOCIATION  
 REPORT TO THE BEAR RIVER COMMISSION  
 NOVEMBER 1, 2005

I. Acknowledge Terry Gnehm and Frank Nishiguchi

II. Irrigation summary for 2005

- Allocation - 141,000 Ac. Ft.(57%)
- Actual use plus conveyance losses - 51,134 Ac. Ft.(20%)
- Amount preserved for lake recovery - 89,686 Ac. Ft.

Last Chance- 6268 Ac. Ft. (23.3%)

Cub River - 5635 Ac. Ft. (43.9%)

West Cache - (2.5%)

Idaho Pumpers - (18.6%)

Utah Pumpers - (40.7%)

Bear River Canal - 48.5%)

III. Historical allocation vs Use

Year	Allocation	Use	Water Saved
1998	245,000	89,000	156,000
1999	245,000	86,000	159,000
2000	245,000	201,000	44,000
2001	245,000	245,000	0
2002	215,000	204,000	11,000
2003	181,000	176,000	5,000
2004	85,000	77,000	8,000
2005	141,000	58,000	46,000
Total			466,000

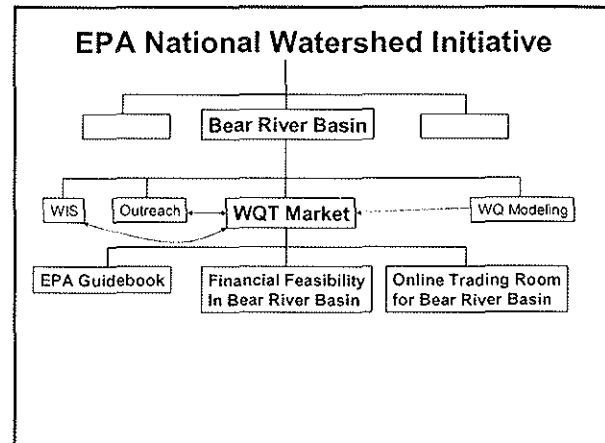
IV. Status of Data Logger Installation

- Problems with phone provider has resulted in delays
- Equipment has been purchased
- Roger Hansen is on leave to assist with hurricane damages
- Installation will be completed prior to 2006 irrigation season

V. Coordination with Idaho and Utah Small Pumpers

- Utah Pumpers are organized into an association
- We will work toward getting groups back into Association

## Water Quality Trading In The Bear River Basin



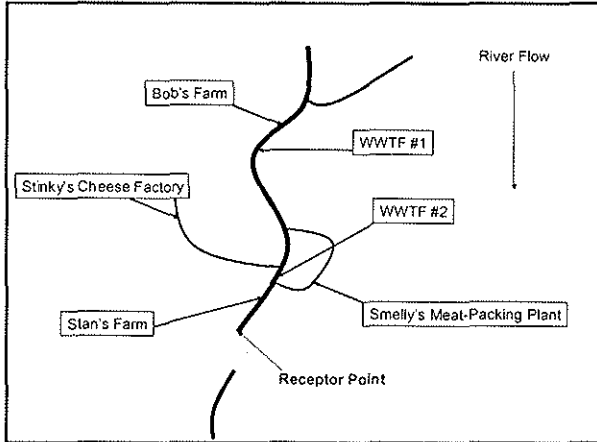
### What is WQT?

A market-based mechanism that allows a source facing relatively high pollution-reduction costs to compensate another source to achieve a less-costly reduction with the same or higher water-quality benefit.

Suppose Source A is required to reduce a unit of total phosphorus (TP) from the river. For whatever reason, it costs Source A \$100 to clean up that unit. Source B, on the other hand, can clean up a unit for \$80. Under WQT, there is room for Source A to pay Source B something less than \$100 but more than \$80 for Source B to clean up that unit of TP.

### A Necessary Condition for Establishing WQT Market

A TMDL(s) that (1) allocates a "pollution budget" across all point and non-point sources located in the river basin, and (2) facilitates the implementation of a WQT market.



### Watershed Profile

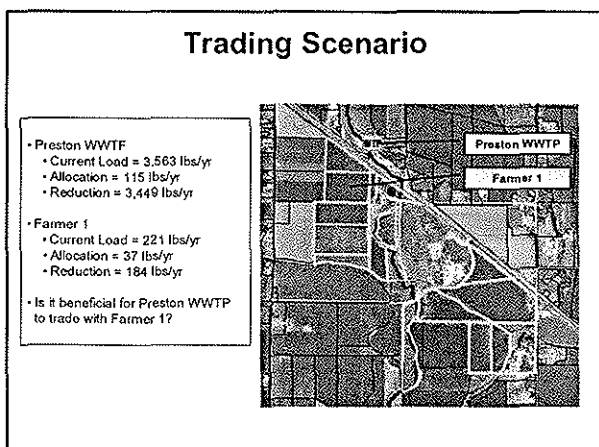
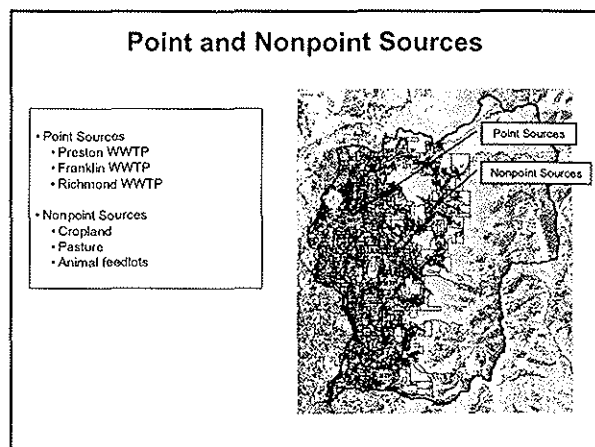
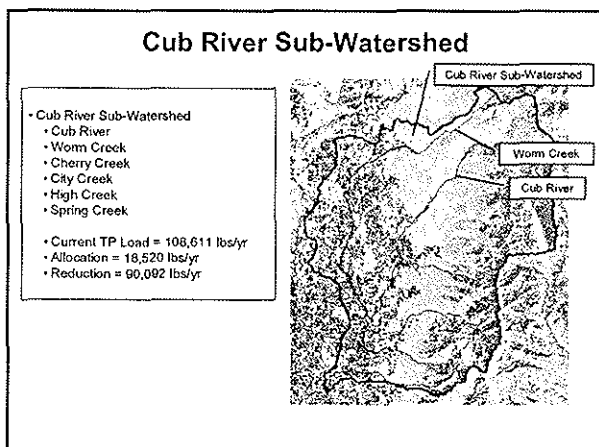
Source	Current TP Load	Target TP Load	Total Red. Needed	Type of Control Tech.	Adjusted Red. Achieved	Cost of Control Tech.	Cost per Reduction Achieved
1							
2							
3							
4							

### Bear River Watershed

- Determine if TP permit trading in the Bear River Watershed is viable
  - Specifically, trading among point and nonpoint sources
- Focus area
  - Middle Bear Sub-watershed

### Middle Bear Sub-Watershed

- Bear River/Malad Sub Basin Assessment and Total Maximum Daily Load Plan (January 2005)
- Lower Bear River Water Quality Management Plan (November 1995)
  - Many impaired reaches due to excess total phosphorus loading.
  - Many reaches cross state boundaries, implying need for interstate effort to combat problem.



Source	Current TP Load (lbs/yr)	Target TP Load (lbs/yr)	Total Red. Needed (lbs/yr)	Type of Control Tech.	Adjusted Red. Achieved (lbs/yr)	Cost of Control Tech.	Cost per Reduction Achieved
Preston WWTP	3,563	115	3,449	Type II	3,448	\$350,000	\$101.51
Farmer #1	221	37	184	Conservation Tillage	200	\$555	\$2.78

•Farmer 1 is able to create 16 credits by implementing conservation tillage practices (assuming 90% reduction rate).  
 •Farmer 1 could profit by selling each credit to the Preston WWTP for an amount greater than \$2.78.  
 •Preston WWTP could lower their cost of compliance by buying Farmer 1's 16 credits for less than \$101.51 per credit.

**RESOLUTION OF THE  
BEAR RIVER COMMISSION  
IN MEMORIAM  
COMMENDING THE CONTRIBUTIONS AND ACCOMPLISHMENTS OF  
  
GARY BEACH**

**WHEREAS**, with the untimely passing of Gary Beach on October 18, 2005, the water community of the State of Wyoming and of the Bear River Basin lost both a friend and colleague; and,

**WHEREAS**, Gary's career spanned over 30 years with the State of Wyoming, including managing the Industrial Siting Council and the Abandoned Mine Land reclamation program and serving as Administrator of the Water Quality Division of the Department of Environmental Quality; and,

**WHEREAS**, Gary adeptly served as one of the original members of the Bear River Commission Water Quality Committee members and provided leadership to the formation and initial work products of that Committee; and,

**WHEREAS**, during Gary's tenure as the Water Quality Division Administrator the State of Wyoming pursued developing locally led watershed management plans in lieu of mandating Total Maximum Daily Loads, including one such plan in the upper Bear River; and,

**WHEREAS**, Gary's common sense approach to water quality management was of great value to Wyoming, the Bear River and the West; and,

**WHEREAS**, Gary Beach is and will be missed by his family, and his passing saddens friends and colleagues;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION MEMBERS OF THE BEAR RIVER COMPACT COMMISSION:**

That the Bear River Commission extends its heartfelt condolences to the family of Gary Beach and joins his many friends and acquaintances in mourning the loss of this man who gave so much to the advancement of natural resources management; and,

That the Bear River Commission extend their sincere condolences to Gary's son Travis, and daughter Monica, his mother Betty Whitsell and other members of his family; and,

That a copy of this resolution be presented to his surviving family members;



Dee C. Hansen, Chair, Bear River Commission

November 1, 2005