

BEAR RIVER COMMISSION

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

MINUTES

BEAR RIVER COMMISSION REGULAR MEETING ONE-HUNDRED THIRD COMMISSION MEETING

November 18, 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 regular meeting of the Bear River Commission was called to order by Chair Dee Hansen at 1:05 p.m. on Tuesday, November 18, 2003 at the Utah Department of Natural Resources Building in Salt Lake City, Utah. This was the one-hundred and third meeting of the Commission. Hansen welcomed everyone to the meeting. Commissioner Pat Tyrrell was asked to introduce the new Commission members and alternate for Wyoming. Tyrrell indicated Wyoming had a change in representation on the Commission. He introduced Sam Lowham as a new commissioner. Sam's cousin is a renowned USGS scientist in Wyoming. Sam grew up in the Upper Bear River area on Mill Creek and knew Wes Myers very well. He graduated from Utah State in animal science, with a chemistry minor. He has been involved with Whitney Reservoir since before its inception. He resides just south of Evanston and has eight children. He has hunted with Wally Jibson.

Tyrrell then introduced Gordon Thornock. Gordon was previously an Alternate Commissioner and he is now a full Commissioner. He was born in Randolph, Utah. In 1954 his father and uncle bought the north end of the old BQ Ranch. He graduated from Utah State University. Gordon was in the truck stop business for 25 years, ranching on the side. He has eight children. Erick Esterholdt was then introduced as a new Alternate Commissioner for Wyoming. Erick is originally from Idaho. Farming and ranching is his livelihood in the Cokeville area. He has two sons. He is also the maintenance manager at the Kemmerer coal mine.

Tyrrell read resolutions of appreciation for James Crompton and John Teichert. It was moved that the Commission accept the resolutions and the motion was seconded and carried. A copy of each resolution is attached to these minutes as Appendix A.

Chairman Hansen then asked all in the room to introduce themselves. An attendance roster is attached as Appendix B.

Chairman Hansen presented the proposed agenda for the meeting. It was moved that the agenda be approved and the motion was seconded and carried. A copy of the approved agenda is attached as Appendix C. The Commission moved to agenda item II and considered the draft minutes of the April 15, 2003 Commission meeting. There were no changes to the minutes and there was a motion to approve the minutes as proposed. The motion was seconded and carried.

The time was then turned to Larry Anderson for the Secretary-Treasurer's report under agenda item III. Anderson asked Randy Staker to review the financial status of the Commission. Staker distributed two handouts and reviewed the information with the Commission. He pointed out that the EPA grant has been fully spent. A copy of the handouts is attached as Appendix D. It was moved that the Commission approve the Secretary-Treasurer's budget report. The motion was seconded and carried. Anderson stated that any increase in state dues is hopefully several years away but he will monitor the budget closely. Commissioner Dreher noted that \$5,000 had been paid to Jack Barnett from the EPA grant. He asked how much expense beyond the \$5,000 Jack incurred in administering the grant. Barnett responded the grant required there be some contribution by the Commission and the Commission committed to \$6500 worth of effort. The Commission staff has been keeping track of its time. The time spent on water quality and on the grant administration was more than \$6500. Barnett committed to compile this information and send it to the Management Committee via a memorandum. Dreher pointed out that in the future the Commission might look at other grant opportunities and it would be instructive to the Commission to know the history of what happened with this EPA grant.

The Commission moved to agenda item IV, the election of a new Vice Chair. John Teichert was appointed as the Vice Chair of the Commission at the April meeting and he is no longer a commissioner. Commissioner Gordon Thornock was nominated to become the Vice Chair. The motion was made to approve Thornock as the Vice Chair and the motion was seconded and carried.

The Commission then moved to agenda item V, a report from the Water Quality Committee. Don Ostler indicated the committee had not met in connection with the November Commission meeting but had met on September 2 in the Bear Lake area. That committee meeting was held in conjunction with the Utah Nonpoint Source Conference. It was acknowledged that the Engineer-Manager and the Chair played significant roles in the Nonpoint Source Conference. Ostler reported that the three states continue to make progress in assessing the quality of the Bear River and in completing TMDLs. Utah's TMDLs are nearly complete on the Bear River. In September it was indicated Idaho's TMDLs are essentially complete and Idaho is awaiting the final public participation process to be completed. The Wyoming assessment work has been completed and work is being done through local groups as far as developing further plans and studies relating to TMDL-type work. Ostler reported that 2/3 of the committee membership (Idaho and Wyoming) has changed. Dave Mabe from Idaho has taken another assignment. His replacement on the committee is Toni Hardesty. Gary Beach from Wyoming has been reassigned and his replacement on the committee will be John Wagner. It was determined that Gary Beach and Dave Mabe will be recognized for their service via a letter from Ostler.

Ostler further reported Cirrus has completed its report with regard to the EPA grant. The report involves a good compilation of the status of all the water quality activities within the three

states and the report resulted in a GIS visual display tool which was demonstrated to the Commission at the April meeting. The Water Quality Committee will want the states to periodically update the information found in the model. Ostler indicated the Water Quality Committee would like to submit a grant application again this year under the EPA Watershed Initiative. The proposal submitted last year was unsuccessful. There has been much coaching this year from the EPA to know how to improve a Commission proposal. The concept is that the proposal would be developed through the Bear River Tri-State Water Quality Task Force and the technical representatives from the three states. The committee would also like to enlist the help of a Utah State University watershed initiative group. The proposal deadline is January 15. The Commission would have an opportunity to review the proposal before it is submitted.

Commissioner Dreher clarified his earlier statement and indicated he felt the Commission should review the financial commitment it makes with regard to the EPA grants as the Commission sees its reserves getting smaller. The Commission needs to know what it is committing to financially. He encouraged the Water Quality Committee to proceed to develop a proposal but asked what the match would be for a grant. Mike Allred indicated the match is 25% and it can be an in-kind match. It is felt there is enough participation from local watershed groups within the Basin that the majority of the match can be taken from within the Basin. There is a requirement that the grant be submitted through the three Governors. The Commission moved to support the effort of the Water Quality Committee to move forward with the preparation of a proposal. The motion was seconded and carried. The Water Quality Committee was complimented on its efforts.

Commissioner Tyrrell then mentioned that Gary Beach's wife passed away two weeks ago. It was noted that the Commission sent a card to Beach. It was further noted that the letters of appreciation to Beach and Mabe will be sent under Chair Hansen's signature and Don Ostler will draft the letters.

The Commission then moved to agenda item VI, a report by F. E. "Fee" Busby of Utah State University (USU) on the efforts of the USU on the Bear River. Busby distributed and reviewed a handout and a copy of this handout is attached as Appendix E. He noted the USU is trying to reposition itself as a major source of information for the people of the State of Utah.

Chair Hansen then moved to agenda item VII, a report from PacifiCorp. Kelly Holt introduced Roger Rigby, who is replacing Claudia Conder, and Connely Baldwin, who is replacing Carly Burton. The time was turned to Baldwin who briefly introduced himself. He then distributed and reviewed a summary handout. A copy of the handout is attached as Appendix F. Baldwin stated that in an earlier committee meeting it was noted the allocations for irrigation are based on historic elevation. Essentially there are two allocations, one for irrigators and one for nature. The way the Settlement Agreement was designed one does not want the lake to go below 5902 and so one takes into account evaporation, which is typically 125,000 af (foot and a half of lake elevation) which can take place over the course of a summer. The allocation is based on the spring maximum elevation.

Baldwin then reported on the amended Settlement Agreement. This is a one-year agreement and will need to be renewed. With regard to dredging, PacifiCorp has money set aside to dredge

and is watching the situation very closely. If we get an above average runoff year, most likely PacifiCorp will not need to dredge. In answering a few questions, it was pointed out the lake lost about 2 feet this past irrigation season through evaporation. With regard to the irrigation allocation, the amount that was released from the outlet canal was 169,000 af. The average demand on storage water is about 75,000 af.

Commissioner Anderson reported that earlier in the morning it was suggested the Engineer-Manager work with PacifiCorp to put together a press release that would describe the possibility that we could still be pumping water from Bear Lake when the elevation of the lake is below 5904. There was a motion made instructing Jack Barnett to work with PacifiCorp to prepare a press release. It was clarified that the press release would be only from the Commission and is not a joint release from the Commission and PacifiCorp. The motion was seconded and carried. There was a short discussion on what physically happens during pumping. It was reported that the pumps are at an elevation of 5895.

The Commission then took a short break. When the meeting reconvened, Chair Hansen asked Commissioner Blair Francis for a report of the Operations Committee under agenda item VIII. Francis was appointed the new chair of the committee during its meeting. Francis reported the Central Division was in a water emergency about April 28. There was a committee discussion regarding the reporting times between Idaho and Wyoming. In the Upper Division, regulation was called for on April 28. Reservoir storage ceased on that date. The Upper Division stayed in regulation until May 30 and on July 4 was back in regulation. This was the first time the Utah portion of the Bear River had been regulated according to natural flow rights. In dealing with the reservoirs, there are three types of water: 1) storage that is pre-Compact; 2) water specified in the first Bear River Compact of 36,500 af to be split 50/50 between Utah and Wyoming with 1,000 af left for Idaho; 3) amended Compact water which gives more storage above Bear Lake but is subject to Bear Lake being above 5911. In February or March, the Engineer-Manager told the states how much water each reservoir could store. Sulphur Creek could be filled because it had a lot of carryover. Woodruff Narrows could fill to 27,000 and Whitney could fill. When the call came on April 28, Woodruff Narrows only had 20,000 in it and it was shut off. Sulphur was full. Through negotiations, Wyoming proposed to release a certain amount of water from Sulphur Creek Reservoir and to fill a like amount in Whitney. This was agreed to informally.

Sue Lowry reported to the committee that the University of Wyoming has some money to study the river. A meeting was held a few weeks ago with Upper Division participants and the State of Utah reported it is creating a model to help with the relationship between natural flow and reservoir water. Next year the river will be regulated again. At the first of the year, Jack Barnett will spell out what will take place. Francis further reported there was a committee discussion about storage. Barnett indicated that if he was aware there were natural flow users in the Upper Division that weren't receiving their water, storage would not be allowed.

PacifiCorp gave a presentation to the Operations Committee. The committee discussed some minor adjustments to the delivery schedule. Francis reported that at the April meetings the Operations Committee was given authority in this subject area. Today the committee addressed proposed changes to the delivery schedule. Approvals were made by the committee, except one

request was held. It has to do with a Soda Creek transfer to Last Chance Canal. Dreher asked that this one be held, so there was no action taken. On another requested change, apparently Utah State has bought a farm and wanted the name changed but nothing else. The committee voted to approve that particular change on the delivery schedule. There were no questions for Francis.

The Commission then moved to agenda item IX, a report of the Records & Public Involvement Committee. Commissioner Dean Mathews reported the committee discussed at its meeting maps, historical documents, USGS documents and information that has been put out by the Utah State University. Barnett reported to the committee that at one particular time Bear Lake was at 6,000 feet with a long-time average of 5950. On August 3, an irrigation flume was destroyed at Last Chance because of vandalism. The committee discussed past and future public involvement such as tours of the three divisions and the TMDL situations. There were no questions for Mathews.

Chair Hansen asked Jack Barnett to give the Engineer-Manager report. Barnett briefly mentioned all the documents presented to the Records & Public Involvement Committee are available at the Commission offices. Jody Williams is compiling a publications list concerning the Bear River. Barnett asked if anyone had significant and historic publications concerning the Bear River to let Jody Williams or the Commission know of them. When Jody completes her list, she will present it to the Commission. There were no questions for Barnett.

The Commission then moved to agenda item XI, a report from the Management Committee. Commissioner Anderson briefly recounted the history of the Bear River Compact and the Amended Bear River Compact. As part of the Bear River Compact as amended, the Compact described how the Bear River Engineer-Manager was to manage the waters of the Upper and Central Divisions of the Bear River but it did not describe how the waters in the Lower Division of the Bear River were to be divided. It was left up to the Commission to develop a procedure of how the Lower Division waters would be divided. Over the past 12-15 years, the Commission has developed Interim Lower Division Water Delivery Procedures (Procedures). The Procedures have all types of information in it that describe how, in case of an emergency, water would be delivered in the Lower Division of the Bear River. There has never been a water emergency declared in the Lower Division. As we continue to develop the water supply and as Mother Nature stresses us with dry cycles, the Commission was concerned it would not know what to do if it were petitioned to declare a water emergency in the Lower Division. The interim procedures were developed.

At the last Commission meeting, the Commission approved procedures as to how the Commission would handle ground water between Utah and Idaho in the Lower Division. The final agreement was the quantity of ground water impacting the mainstream flow of the Bear River is so small it is not measurable to date. The Commission has chosen to ignore the ground water impact if there is a call on the river at the present time. The Commission will continue to look at this over time and see if that impact becomes greater. In the meantime, both Idaho and Utah have developed ground water management plans for both the Idaho section and the Utah section of the Bear River. The Commission did not want to hold public hearings for something that was so small. The states were asked to contact the respective Attorney Generals to see if there was a way to get around the

Commission's bylaws regarding holding public hearings to officially adopt the interim procedures. It was determined there is no way to get around the bylaws and public hearings must be held.

At the Management Committee meeting this morning, the committee directed Jack Barnett to move forward with the public notice process. He is to work with the Records & Public Involvement Committee to hold two public hearings, one in Idaho (Preston) and one in Utah (Logan). The hearings should be held before the next Commission meeting so that the Commission can get a report back on the public comments at the April meeting and possibly adopt the interim procedures.

Anderson then reported the respective Attorney Generals advised that if the Commission is holding the public hearings anyway, it should modify the current procedures so the Commission would not have to go to the cost of holding public hearings if a proposed change to the procedures is not controversial. Anderson distributed a proposed change to the Commission's interim procedures. A copy of the proposed amendment is attached to these minutes as Appendix G. Anderson clarified that with the amendment if a proposed change goes to the Operations Committee and the committee determines the proposed change is minor, the committee can approve the change. If the Operations Committee determines the change is not minor and sends it to the Commission, the amendment would allow the Commission to adopt the change as a final amendment by a unanimous vote of the Commission. If one Commissioner does not agree it is a minor change, the Commission will need to go through the public hearing process. The amendment will give the Commission some flexibility. It was moved that the Commission accept the proposed amendment as prepared by the Management Committee and instruct the Engineer-Manager to notice it in conjunction with the other amendment and be prepared to bring it back to the Commission at its next meeting for final action in adopting the change. The motion was seconded and carried. There were no questions concerning the Management Committee report.

Chair Hansen then called for the state reports under agenda item XII. Commissioner Tyrrell reported that Wyoming's ground water administrator passed away. Lisa Lindeman has been hired and will take over the position on December 1. Commissioner Dreher reported that the drought is reaching desperate conditions in the Bear River Basin, as well as in the Snake River Basin. Looking at the 4-year moving average of natural flows at Heise (a good measure of the water supply in the Snake River), that average is the lowest of record. The consumptive use in Idaho is a record high, 20% above previous consumptive highs. There are significant declines in ground water levels. Commissioner Anderson reported Utah has finished a land use inventory of irrigated land in the Bear River Basin. Because of the significance of the drought in Utah and the fact it has implemented a fairly major water conservation effort within the state, Utah has put together its M&I water conservation plan and has taken it to the legislature. It summarizes where Utah is on its water conservation efforts to bring down the M&I use. This document is available from Anderson's office.

Chair Hansen asked for other items of business under agenda item XIII. There being no additional items, Chair Hansen indicated the next Bear River Commission meeting would be held in Salt Lake City on Tuesday, April 20, 2004. There was a motion to adjourn the meeting, which was seconded and carried. The meeting was adjourned at 3:00 p.m.

RESOLUTION OF APPRECIATION

FOR

JAMES CROMPTON

WHEREAS, the Bear River Commission wishes to express its appreciation for the service of Jim Crompton during his term as Commissioner, and

WHEREAS, Jim served the Bear River Commission as a Wyoming Commissioner from November, 1995 to April, 2003, and

WHEREAS, Jim and his family have been involved in water development and water issues in the upper Bear River basin for many years;

NOW, THEREFORE BE IT RESOLVED that the Bear River Commission recognizes the outstanding contributions of Jim Crompton, and


BE IT FURTHER RESOLVED, that the Commission members express their sincere appreciation for the opportunity to have associated with Jim as a friend and colleague, and

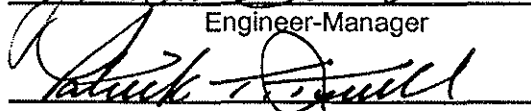
BE IT FURTHER RESOLVED, that the Commission members express their best wishes to Jim in his future endeavors.

Resolution Passed November 18, 2003

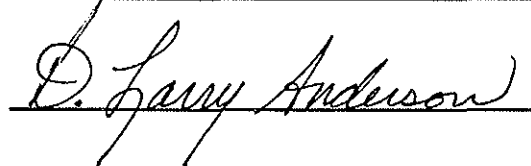

Chair

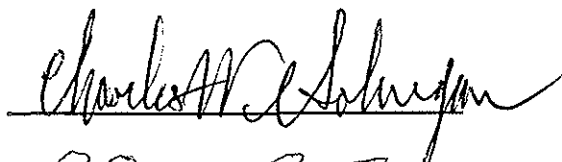

Vice-Chair

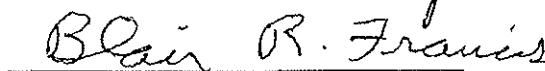

Engineer-Manager

















RESOLUTION OF APPRECIATION

FOR

JOHN TEICHERT

WHEREAS, the Bear River Commission wishes to express its appreciation for the service of John Teichert during his term as Commissioner, and

WHEREAS, John served the Bear River Commission in various capacities for over four decades, as Wyoming's Division IV Superintendent beginning in 1963, as one of Wyoming's representatives during the negotiations for the Amended Bear River Compact, as an Alternate Commissioner and as a full Wyoming Commissioner from April, 1997 to April, 2003, and

WHEREAS, John is recognized as a leader on water issues in the Cokeville area and has contributed significantly to water resource management on the Bear River;

NOW, THEREFORE BE IT RESOLVED that the Bear River Commission recognizes the outstanding contributions of John Teichert, and

BE IT FURTHER RESOLVED, that the Commission members express their sincere appreciation for the opportunity to have associated with John as a friend and colleague, and

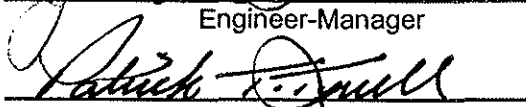
BE IT FURTHER RESOLVED, that the Commission members express their best wishes to John in his future endeavors.

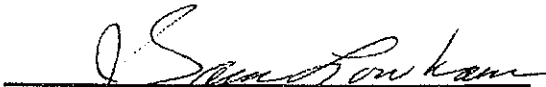
Resolution Passed November 18, 2003


Chair

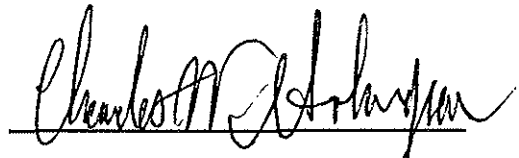

Vice-Chair


Engineer-Manager





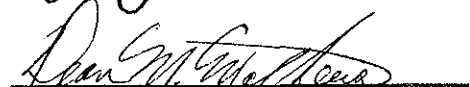












ATTENDANCE ROSTER

BEAR RIVER COMMISSION REGULAR MEETING

Utah Department of Natural Resources Building
Salt Lake City, Utah
November 18, 2003

IDAHO COMMISSIONERS

Karl J. Dreher
Rodney Wallentine
Dean M. Mathews

WYOMING COMMISSIONERS

Patrick T. Tyrrell
Sam Lowham
Gordon Thornock
Sue Lowry (Alternate)
Erick Esterholdt (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
Pete Peterson, Water Master

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
Ron Hoffman, Water Commissioner
Robert King, Division of Water Resources
Bryce Nielsen, Utah Division of Wildlife Resources
Jerry Olds, Division of Water Rights
Don Ostler, Division of Water Quality
Paul Riley, Division of Water Resources Board
Ken Short, Division of Water Resources
Randy Staker, Division of Water Resources

WYOMING

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

APPENDIX B
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OTHERS

Connely Baldwin, PacifiCorp
Carly Burton, PacifiCorp
F. E. "Fee" Busby, Utah State University
Dan Davidson, Bear River Canal Company
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
Roger Rigby, PacifiCorp
Brent Rose, Bear River Water Users Association
Al Trout, Bear River Migratory Bird Refuge
Jody Williams, PacifiCorp

**PROPOSED
AGENDA**

Bear River Commission Regular Meeting
November 18, 2003

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

COMMISSION AND ASSOCIATED MEETINGS

November 18

9:00 a.m.	Operations Committee Meeting, Room 314	
10:15 a.m.	Records & Public Involvement Committee Mtg, Room 314	Mathews
11:15 a.m.	Informal Meeting of Commission, Room 314	Barnett
11:30 a.m.	State Caucuses and Lunch	Dreher/Tyrrell/Anderson
1:00 p.m.	Commission Meeting, Auditorium	Hansen

REGULAR COMMISSION MEETING

November 18, 2003

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

- | | | |
|------|--|----------------------|
| I. | Call to order | Hansen |
| | A. Introduction of new Commission members and alternate | |
| | B. Welcome of guests and overview of meeting | |
| | C. Approval of agenda | |
| II. | Approval of minutes of last Commission Meeting
(April 15, 2003) | Hansen |
| III. | Report of Secretary/Treasurer | Anderson |
| IV. | Election of a Vice Chairman | Hansen |
| V. | Report from Water Quality Committee | Ostler/Barnett |
| VI. | Utah State University's Emphasis on the Bear River | Fee Busby |
| VII. | PacifiCorp issues | Holt/Connely Baldwin |
| | A. Water deliveries in 2003 | |
| | B. Prospects for water deliveries in 2004 | |
| | C. Amended Settlement Agreement | |
| | D. Dredging next spring | |

APPENDIX C
PAGE TWO

BREAK

- | | | |
|-------|--|----------|
| VIII. | Report of the Operations Committee | |
| IX. | Report of the Records & Public Involvement Committee | Mathews |
| X. | Engineer-Manager report | Barnett |
| XI. | Items from the Management Committee | Anderson |
| XII. | State Reports | |
| | A. Wyoming | Tyrrell |
| | B. Idaho | Dreher |
| | C. Utah | Anderson |
| XIII. | Other Items | Hansen |
| XIV. | Next Commission Meeting | Hansen |

Anticipated adjournment: 3:30 p.m.

BEAR RIVER COMMISSION

STATEMENT OF INCOME AND EXPENDITURES

FOR THE PERIOD OF JULY 1, 2002 THRU JUNE 30, 2003

INCOME	CASH ON HAND	OTHER INCOME	FROM STATES	TOTAL REVENUE
Cash Balance 07-01-01	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		6,250.00		6,250.00
EPA Grant				
Interest on Savings		2,719.59		2,719.59
 TOTAL INCOME TO JUNE 30, 2003	 100,833.55	 8,969.59	 105,000.00	 214,803.14

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	-1,499.01	51,084.01
Travel (Eng-Mgr)	1,200.00	252.18	947.82
Office Expenses	1,600.00	-487.08	2,087.08
Printing Biennial Report	2,000.00	657.51	1,342.49
Treasurer Bond & Audit	1,400.00	1,300.00	100.00
Printing	1,600.00	-26.52	1,738.02
Contingency	5,000.00	0.00	5,000.00
 SUBTOTAL	 62,385.00	 85.58	 62,299.42
 EPA WATER QUALITY GRANT	 22,285.46	 724.65	 21,560.81
 TOTAL EXPENSES	 137,085.46	 810.23	 136,275.23
 CASH BALANCE AS OF 06-30-03			 78,527.91

APPENDIX D
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BEAR RIVER COMMISSION

DETAILS OF EXPENDITURES

FOR PERIOD ENDING JUNE 30, 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
580	Jack Barnett	6,055.49
581	Jack Barnett	4,594.36
582	Cirrus Ecological Solutions	5,024.75
	Wells Fargo Service Charge	22.00
583	Jack Barnett	7,748.73
	TOTAL EXPENSE	136,275.23

BANK RECONCILIATION

Cash in Bank per Statement 06-30-03	-2,531.26
Plus: Intransit Deposits	
Less: Outstanding Checks	
Total Cash in Bank	-2,531.26
Plus: Savings Account-Utah State Treasurer	81,059.17
TOTAL CASH IN SAVINGS AND IN CHECKING ACCOUNT	78,527.91

BEAR RIVER COMMISSION

STATEMENT OF INCOME AND EXPENDITURES

FOR THE PERIOD OF JULY 1, 2003 THRU NOV 11, 2003

INCOME	CASH ON HAND	OTHER INCOME	FROM STATES	TOTAL REVENUE
Cash Balance 07-01-02	78,527.91			78,527.91
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				
Interest on Savings		767.09		767.09
 TOTAL INCOME TO NOVEMBER 11, 2003	 78,527.91	 767.09	 105,000.00	 184,295.00

DEDUCT OPERATING EXPENSES

	APPROVED BUDGET	UNEXPENDED BALANCE	EXPENDITURES TO DATE
Stream Gaging/USGS Contract	50,300.00	50,300.00	0.00
 SUBTOTAL	 50,300.00	 50,300.00	 0.00
 EXPENDED THROUGH COMMISSION			
Personal Services Jack	49,585.00	28,924.60	20,660.40
Travel (Eng-Mgr)	1,200.00	551.35	648.65
Office Expenses	1,600.00	1,349.39	250.61
Printing Biennial Report	2,000.00	2,000.00	0.00
Treasurer Bond & Audit	1,400.00	1,300.00	0.00
Printing	1,600.00	1,600.00	115.41
Contingency	5,000.00	5,000.00	0.00
 SUBTOTAL	 62,385.00	 40,709.93	 21,675.07
 EPA WATER QUALITY GRANT	 724.65	 0.00	 724.65
 TOTAL EXPENSES	 113,409.65	 91,009.93	 22,399.72
 CASH BALANCE AS OF 11-11-03			 161,895.28

APPENDIX D
PAGE FOUR

BEAR RIVER COMMISSION
DETAILS OF EXPENDITURES

FOR PERIOD ENDING NOVEMBER 11, 2003

584	JACK BARNETT	12,650.67
585	CIRRUS	724.65
586	JACK BARNETT	4,361.15
587	JACK BARNETT	4,663.25

TOTAL EXPENSE	22,399.72
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BANK RECONCILIATION

Cash in Bank per Statement 11-10-03	5,069.22
Plus: Intransit Deposits	
Less: Outstanding Checks	
Total Cash in Bank	5,069.22
Plus: Savings Account-Utah State Treasurer	156,826.06
TOTAL CASH IN SAVINGS AND IN CHECKING ACCOUNT	161,895.28

EPA GRANT
AS OF NOVEMBER 11, 2003

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

7,714.54 WAS SPENT IN FY2002
21,560.81 WAS SPENT IN FY2003
724.65 WAS SPENT IN FY2004

REVENUE
DATE AMOUNT
04/30/2002 12,500.00
06/28/2002 11,250.00
01/28/2003 6,250.00

TOTAL REVENUE 30,000.00

30,000.00

EXPENSES
DATE PAYEE AMOUNT
03/01/2002 JACK BARNETT 47.75
03/27/2002 JACK BARNETT 2,475.60
04/28/2002 CIRBUS 246.50
05/31/2002 CIRBUS 3,238.97
06/27/2002 CIRBUS 1,705.72
08/15/2002 CIRBUS 3,594.34
10/21/2002 CIRBUS 1,762.07
10/28/2002 JACK BARNETT 1,503.51
11/25/2002 CIRBUS 2,288.16
01/13/2003 CIRBUS 5,356.07
01/22/2003 CIRBUS 1,058.77
06/18/2003 CIRBUS 5,024.75
06/30/2003 JACK BARNETT 973.14
09/1/2003 CIRBUS 724.65

JACK BARNETT HAS BEEN PAID 5,000.00 FROM
THE GRANT.

CIRBUS ECOLOGICAL SOLUTIONS HAS BEEN PAID
25,000.00 FROM THE GRANT.

TOTAL EXPENSES 30,000.00

TOTAL FY2002 EXPENSES 7,714.54
TOTAL FY2003 EXPENSES 21,560.81
TOTAL FY2004 EXPENSES 724.65

TOTAL EXPENSES 30,000.00

GRANT BALANCE \$ -

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Organization

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Background

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Utah State University Laboratory Watershed

A goal of the Utah State University Water Initiative is the establishment of a Laboratory Watershed. The Bear River Watershed within the Great Salt Lake Basin serves as a microcosm for many water resource, science, and policy issues in the western U.S. Climate variability, effects of drought, water quality, urban and agricultural development, and interstate policies are all important concerns in the Bear River. The representative nature of this watershed and these important societal issues make the Bear River Watershed a good place for a coordinated interdisciplinary research program.

The Utah State University Water Initiative Laboratory Watershed design team is working on developing the basic research infrastructure to attract and facilitate coordinated regional and national interdisciplinary research in this watershed. The research infrastructure will comprise coordinated monitoring, modeling and synthesis. Developing this laboratory watershed will allow us to begin an assessment of the impacts of changing climate regimes and effects of widespread urbanization of rural landscapes on the dynamics of the integrated natural and social ecosystem and engineered water resources infrastructure. Understanding the interaction of these rapidly changing characteristics in the Bear River Watershed will be a primary goal of the laboratory watershed and will provide knowledge for dealing with increasing water scarcities in the entire Great Salt Lake Basin including the Wasatch Front and other rapidly developing semi-arid systems.

David Tarboton (david.tarboton@usu.edu) is coordinating the Laboratory Watershed Design team.

USU Water Initiative Action Plan

David Tarboton
August 19, 2003

Goal

The purpose of the Utah State University Water Initiative is to foster collaboration and interdisciplinary work across the multiple colleges and departments involved with Water Sciences at Utah State University. Water sciences span a broad range of programs at USU. The challenge that the USU Water Initiative seeks to address is to integrate and synthesize water-related science and engineering activities to focus education, research and outreach programs to meet the growing demands for integrated expertise. Regionally, the USU Water Initiative aims to focus the intellectual leadership of the university academic community on integrated water planning that is critical for society in the Intermountain West.

2003/04 Action Plan

The water initiative has been allocated seed funding for the upcoming academic year and this plan outlines the activities that will be undertaken with this funding to further the goals of the water initiative. These goals are derived from the Water Initiative task force report presented to the University President in April 2003. The specific goals for the upcoming year are to build community at USU within those faculty with an interest in water resources, raise the profile of that group nationally and leverage the seed funds provided by pursuing extramural funding for interdisciplinary water research and education projects. The 2003/2004 Action Plan consists of the following components.

1. National Water Seminar Series

The goal is a full year seminar series of invited speakers to bring national leaders in water science and policy to USU. This seminar series will also be webcast as Cyberseminars to the Consortium of Universities for the Advancement of Hydrologic Sciences (CUAHSI). Socials following the seminars will facilitate the continuation of discussions and build a sense of community. Seminars to be scheduled each week during the academic semesters at 2pm on Mondays, in a technology enhanced classroom (perhaps in the new engineering building).

2. First Annual Conference

We will initiate an annual conference to be held at USU each spring, tentatively entitled "Spring Runoff Conference." The purposes of this conference will be to:

- 1) provide a forum for students, faculty and the Utah Water Community to share current research in an on-campus venue.
- 2) invite stakeholders in the management and development of water resources in the region, and especially in the Bear River Basin, to an open forum on the societal and technical needs that should be addressed by the USU Water Initiative.
- 3) stimulate the development of interdisciplinary research on water-related issues in Utah.

A possible theme for the first conference is: "Managing Utah's Water Resources in the Face of Drought and Growing Demand". Speakers would include faculty, students and regional agency representatives. The conference would be modeled after "Hydrology Days" conferences held at Colorado State University and the University of Arizona. The Conference Committee will

consider publication of proceedings and overview pamphlet of conference high points for promotional purposes

3. Laboratory Watershed

The Bear River Watershed within the Great Salt Lake Basin serves as a microcosm for many water resource, science, and policy issues in the western U.S. Climate variability, effects of drought, water quality, urban and agricultural development, and interstate policies are all important concerns in the Bear River. The representative nature of this watershed and these important societal issues make the Bear River Watershed a good place to begin a coordinated interdisciplinary research program. This initiative would frame the guiding hypotheses and questions and develop the basic research infrastructure to attract and facilitate coordinated regional and national interdisciplinary research in this watershed. The research infrastructure will comprise coordinated monitoring, modeling and synthesis. Developing this laboratory watershed will allow us to begin an assessment of the impacts of changing climate regimes and effects of widespread urbanization of rural landscapes on the dynamics of the integrated natural and social ecosystem and engineered water resources infrastructure. Understanding the interaction of these rapidly changing characteristics in the Bear River Watershed will be a primary goal of the laboratory watershed and will provide knowledge for dealing with increasing water scarcities in the entire Great Salt Lake Basin including the Wasatch Front and other rapidly developing semi-arid systems.

A design team of 4-8 faculty members will be established to develop a prototype design and information system for the laboratory watershed. This team will address the following tasks:

- Development of specific questions and hypotheses to be addressed by laboratory watershed studies
- Development of prototype laboratory watershed design consistent with Consortium of Universities for the Advancement of Hydrologic Sciences Incorporated (CUAHSI) hydrologic observatory concept.
- Laboratory watershed exploratory field trip open to as many USU water faculty members as possible to gain appreciation for watershed issues.
- Development of bibliography
- Development of a laboratory watershed information system using Geographic Information System technology to efficiently organize and disseminate data within the watershed and facilitate interdisciplinary research.

Some limited funding for graduate student support and fellowships will be allocated to commence foundation research related to integrated water planning and start addressing the questions and hypotheses developed. With the recognition that it is late to recruit quality new graduate students for this year, the team will consider supplementing the support of students already here and new students able to start in the Spring Semester.

The laboratory watershed research in the Bear River will provide a focused research location within the Great Salt Lake Basin with questions and hypotheses driven by the needs of the entire basin and semi-arid Intermountain West.

4. Interdisciplinary Water Proposal and Product Initiation

This element of the action plan is intended to support the USU Water Initiative goal of stimulating interdisciplinary research and education, attracting additional interdisciplinary programmatic and project water funding to USU, and elevating the prominence of USU in water sciences. The Water Initiative will support and fund faculty for the development of interdisciplinary proposals prepared and submitted to national funding agencies such as NSF, NASA, EPA, NOAA, and USGS and for the preparation of interdisciplinary synthesis products (e.g. major review articles or textbooks designed to bring interdisciplinary synthesis to particular topics). The primary purpose of this item is to provide incentives for people to work on program development proposals aimed at securing outside funding to help design and initiate an interdisciplinary graduate program in water sciences and develop the infrastructure for integrative water research at USU (e.g. IGERT proposals, foundation proposals). Program development proposals generally do not offer the type of direct, individual benefits to faculty members that research proposals do, thus, some of the seed monies will be used to encourage cooperation in building the “common good” or institutional aspects of an integrated water sciences program (e.g. academic programs). The secondary purpose of these seed monies is to provide smaller incentives for people to seek funding for interdisciplinary research projects or products, which will further the overall goal of stimulating interdisciplinary connections in water across campus.

One of the roles anticipated for the Water Initiative University Advisory Committee (see administration below) would be to establish guidelines for these awards and oversee their fair distribution. The guidelines would include eligibility criteria, amount of awards for various types of efforts, and eligibility specifications based on the type of proposal or project. Since the awards will be in relatively modest amounts (about \$1,000 per faculty member per proposal or project with a cap of \$2,000 per faculty member per year), they are primarily aimed at thanking and recognizing people for their interdisciplinary efforts and contributions. Thus, the distribution of these funds must be done in a manner that encourages collaboration and is simple to administer.

5. Curriculum

One goal of the USU Water Initiative is an interdisciplinary graduate program in integrative water sciences. This will be pursued by the preparation and development of courses critical to interdisciplinary education. Initially only the Research Integration 1 course as outlined in the 2002 IGERT proposal will be pursued, with the intent of getting this offered for the first time in Fall 2004. In addition to the development of the research integration course, a committee will be formed to review the entire collection of water sciences courses at USU with the objective to identify gaps and areas of overlap where content can be consolidated and reorganized to fill gaps and add to the breadth and consistency of offerings.

Administration

Water Initiative Coordinator. The provost has asked David Tarboton to coordinate the USU Water Initiative. Responsibilities. Coordinate all activities. Coordinate CUAHSI and IGERT proposals.

Six committees and design teams will be formed each charged with carrying out a specific aspect of the Water Initiative or providing overall advice and guidance.

Water Initiative University Advisory Committee

The Advisory Committee is intended to be an on-campus committee to provide high level direction, advice and guidance on the activities and governance of the water initiative to help it achieve its goal of fostering collaboration and interdisciplinary research and education in the water sciences at Utah State University. It is intended that this committee meet monthly, provide overall policy oversight to the Water Initiative and direction to the other committees and teams. This committee will also be responsible for overseeing the interdisciplinary water proposal and product initiation part of this plan. This committee should establish guidelines for the awarding of, and administer funds used for proposal and product development faculty support and, graduate fellowship funds.

Water Initiative External Advisory Board

This will be a group of 6 to 15 people who are leaders in the regional and national water community selected to provide advice from an outside perspective. This board should provide guidance on national and regional water issues that should receive the attention and focus of the Water Initiative research and education programs. This board will meet once a year.

Seminar Committee

This committee will be charged with conducting the Water Initiative seminar series, scheduling, inviting and hosting speakers.

Annual Conference Committee

This committee will be charged with organizing and hosting the annual conference.

Laboratory Watershed design team.

This team will be charged with developing the Laboratory Watershed design consistent with CUAHSI hydrologic observatory concept and writing and submitting proposals for establishing this Laboratory Watershed.

Interdisciplinary graduate program committee

This committee will be charged with developing the research integration course outlined in the 2002 IGERT proposal (included as appendix 8, page 60) of the task force report and getting necessary university approval and making all necessary plans for this course to be offered commencing Fall 2004. This committee will also have the responsibility of reviewing the entire curriculum of Water Sciences courses at USU and recommending ways to better coordinate offerings, articulate content and make the overall curriculum better and more consistent in support of the eventual goal of an interdisciplinary graduate program in integrative water sciences.

SUMMARY OF 2000-2003 BEAR LAKE/BEAR RIVER OPERATION AND PROJECTED ALLOCATIONS FOR 2004

BEAR LAKE

High elevation – spring of 2000	5919.78 (May 22, 2000)
Low elevation – fall of 2003	5904.1 (Nov. 17, 2003)
Net storage decrease	1,024,000 acre feet
Bear Lake net runoff (2000,2001,2002, 2003)	49,000 acre feet
Bear Lake net runoff as % of median value	16% (median =312,000)
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%)
Projected runoff – April 1, 2003	106,000 acre feet (37%)
Actual runoff April-July, 2003	8,000 acre feet (2.8%)
Bear Lake irrigation allocation – 2003	181,000 acre feet
Actual storage release – 2003	169,000 acre feet
High lake elevation (May 28, 2003)	5908.75
Active deliverable contents at high stage	294,000 Acre Feet *
Current lake elevation (November 17, 2003)	5904.10
Active deliverable contents at current elevation	6,000 Acre Feet *

*Based on Bear Lake Settlement Agreement of 5904 (bottom of irrigation allocation)

BEAR RIVER

Bear River below Cutler	
2001 flow	294,000 acre feet (27%)
2002 flow	267,000 acre feet (24%)
2003 flow	249,000 acre feet (22%)*

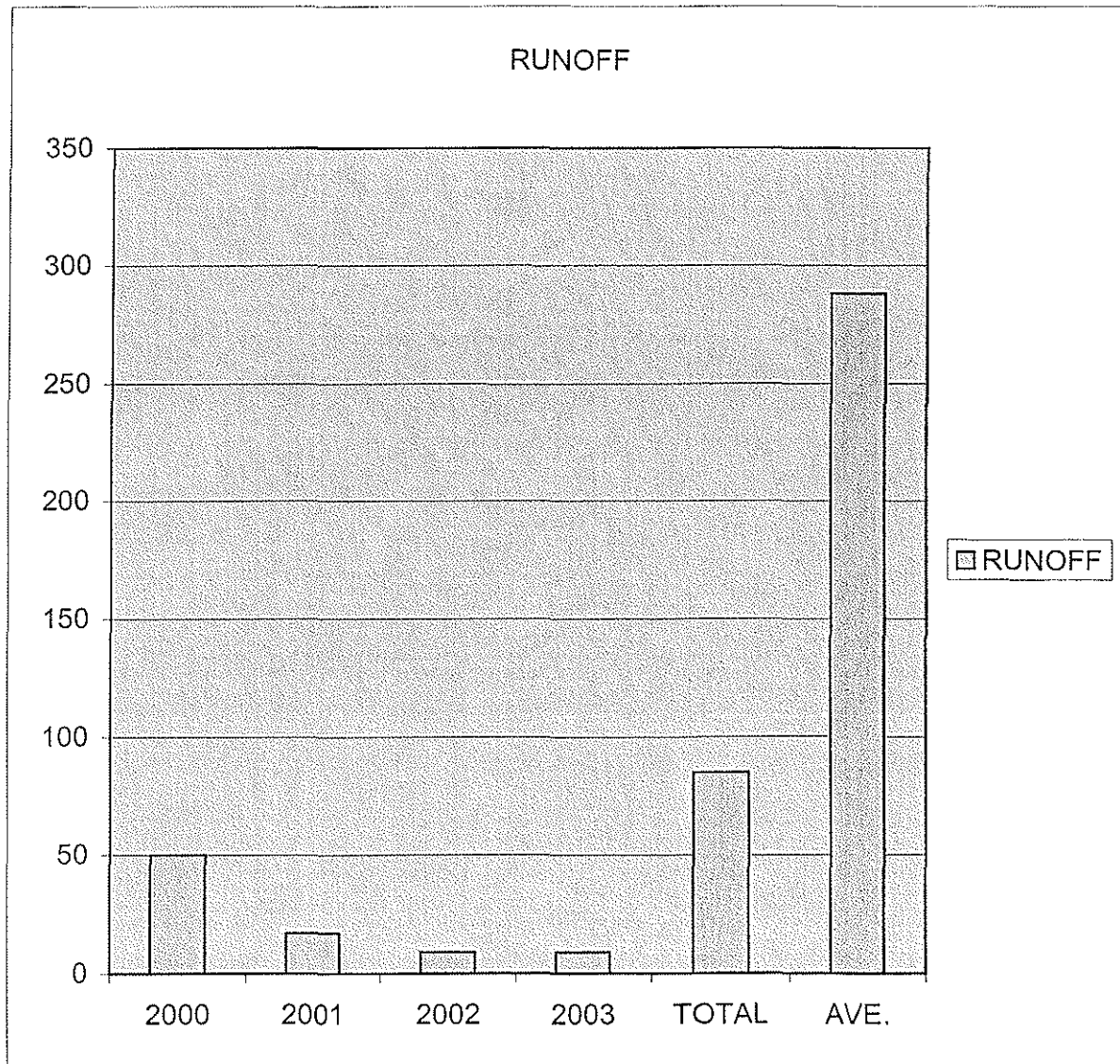
*lowest flow on record since 1889

ALLOCATIONS FOR 2004

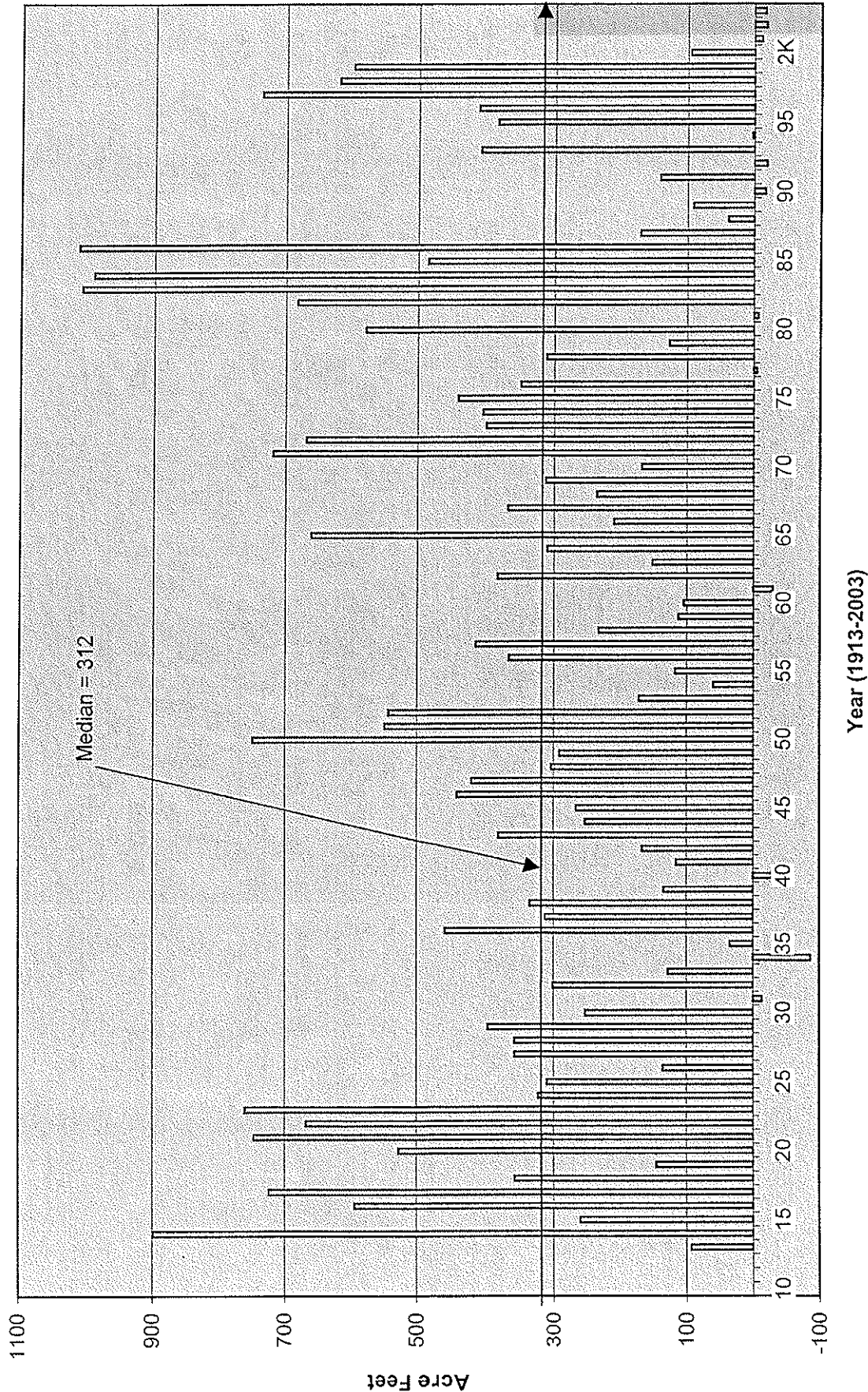
Assuming a repeat of 2003 (High lake el – 5905.0)	55,000 acre feet (22% of maximum)
Assuming average runoff (High lake el - 5907.5)	154,000 acre feet (63% of maximum)
Assuming above ave. runoff (High lake - 5909.0)	181,000 acre feet (74% of maximum)

BEAR LAKE SPRING RUNOFF
2000-2003
(1000'S OF AC. FT.)

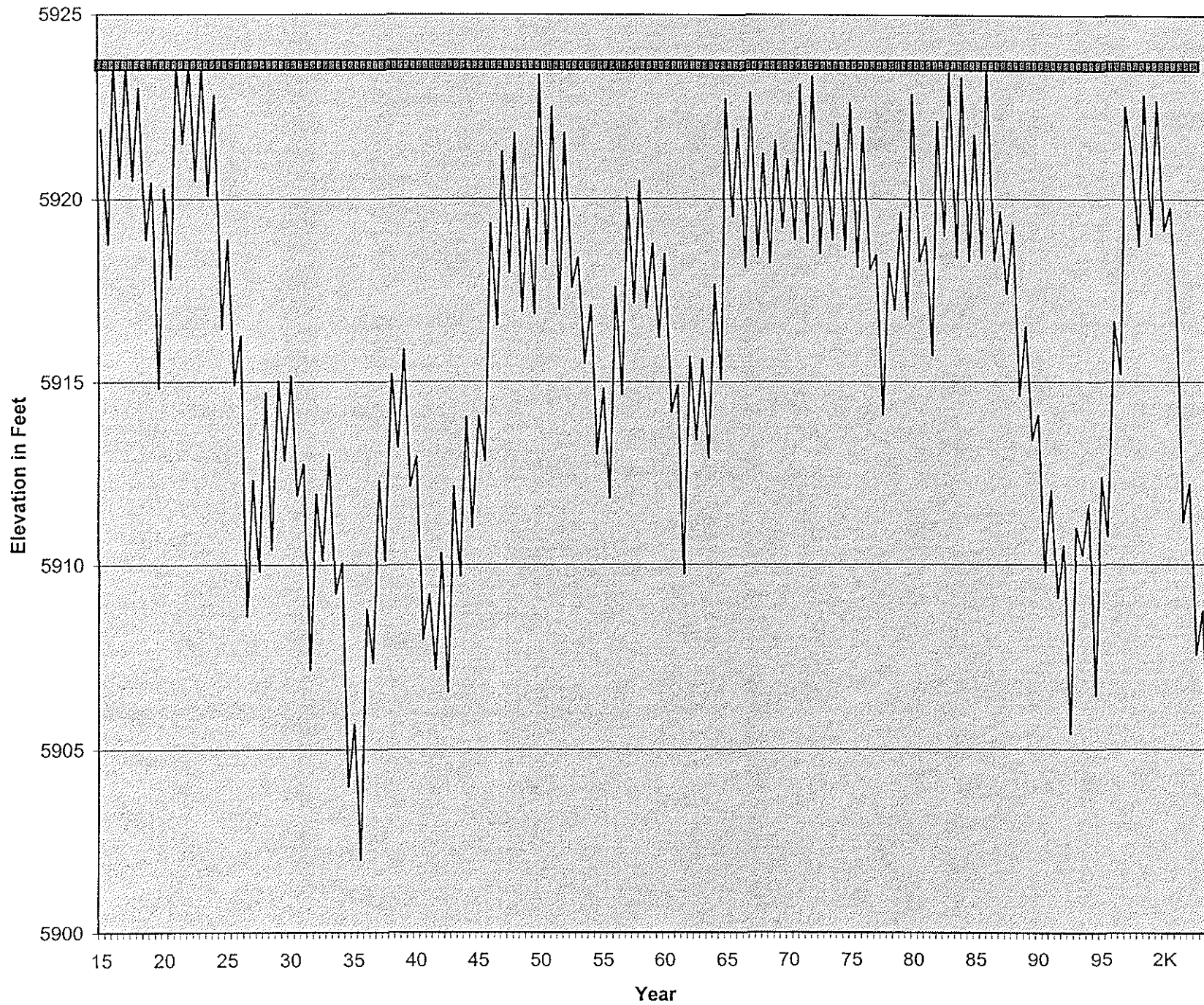
YEAR	RUNOFF
2000	50
2001	17
2002	9
2003	9
TOTAL	85
AVE.	288



Bear Lake Net Runoff



Bear Lake Elevation From 1916 to 2003



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

DRAFT AMENDMENT TO SECTION IX

IX. AMENDMENTS TO THESE PROCEDURES OR TO THE DELIVERY SCHEDULES

A. General

Upon adoption, these Procedures will remain in force until modified or rescinded by the Commission. Copies of the Procedures, then in effect, will be kept on file with the Commission, and with the signatory States, for public inspection.

B. Amendment Procedure

It is anticipated that amendments and additions to these Procedures, and to the delivery schedules, will be required as experience is gained in administering the Lower Division diversions. The following procedures apply when making such amendments:

1. The Commission will cause one of its standing committees to review proposed changes to these Procedures, or the delivery schedules, and to present recommendations thereon to the Commission. Upon presentation of the recommendations, the Commission may, after any necessary review, discussion, investigation and notice, vote:

a. to adopt the changes as "final amendments" by unanimous vote of the Commission in accordance with the Commission's Bylaws if the Commission determines that the modifications are minor and will not materially affect water users; or

b. to adopt the changes as "proposed amendments" in accordance with the Commission's Bylaws.

2. ~~One~~If the Commission adopts the changes as "proposed amendments," have been accepted by the Commission, the Commission will provide public notice as follows:

[continue with existing text of Procedures]