

BEAR RIVER COMPACT MEETING

COUNTY COURT HOUSE, EVANSTON, WYOMING

February 4, 1946

A meeting of the Bear River Tri-State Committee was held in the County Court House, Evanston, Wyoming, February 4, 1946, at 9:00 a. m. The following were present:

W. V. Iorns, Project Engineer, U. S. Geological Survey, Logan, Utah
Mark R. Kulp, State Reclamation Engineer, Boise Idaho
F. M. Cooper, Commissioner on Bear River, Grace, Idaho
W. J. Hunter, Montpelier, Idaho
L. C. Bishop, State Engineer, Cheyenne, Wyoming
E. C. Gradert, Fort Bridger, Wyoming
Charles C. Nate, Montpelier, Idaho
J. W. Surrine, Dingle, Idaho
Cecil Quayle, Dingle, Idaho
John E. Lowham, Evanston, Wyoming
William Cook, Sr., Evanston, Wyoming
E. J. Skeen, Attorney, Bureau of Reclamation, Salt Lake City, Utah
A. L. Merrill, Attorney, Pocatello, Idaho
Leshar S. Wing, Regional Engineer, Federal Power Commission,
San Francisco, California
L. C. Monson, State Engineer's Office, Salt Lake City, Utah
Ed. H. Watson, State Engineer, Salt Lake City, Utah
E. C. Thorum, Utah Power & Light Co., Salt Lake City, Utah
F. B. Myers, Evanston, Wyoming
Raymond Rees, Woodruff, Utah
Fred Coles, Evanston, Wyoming
Tom Painter, Evanston, Wyoming
L. B. Johnson, Randolph, Utah
William M. Harris, County Welfare Director, Evanston, Wyoming
E. R. Thomas, Engineer, Bureau of Reclamation, Logan, Utah
M. T. Wilson, District Engineer, U. S. Geological Survey,
Salt Lake City, Utah

The meeting was called to order by Mr. Ed. H. Watson, Chairman, who announced that the purpose of the meeting was to discuss current problems of the Bear River Tri-State Committee and to develop an agenda for a meeting of the Bear River Committee to be held in the near future at Montpelier, Idaho.

Mr. Leshar S. Wing, Regional Engineer, Federal Power Commission, San Francisco, California, was introduced to the group with the explanation that he had consented to assist the Bear River Committee in developing the details for a tri-state compact. It was noted that Mr. Wing was instrumental in planning much of the proposed Yellowstone River Compact for the states of Montana, North Dakota and Wyoming. Mr. Wing then discussed the problems confronting the states in developing a compact for the division of water in the Bear River Basin and was pleased to note the progress being made in collecting basic hydrographic information, the listing of water rights and outlining of irrigated acreages. He emphasized the importance

of keeping the water users advised as to the progress of the work.

IRRIGATED AREAS

Mr. Bishop, State Engineer of Wyoming, discussed the importance of a complete listing of irrigated areas in arriving at an equitable distribution of water between the three states. It was his opinion that the listing should include pasture lands located between cultivated areas and the river bottoms--all lands benefited by irrigation diversions. He noted that in the economic study being made by the Bureau of Reclamation that brush lands were not included. In asking Mr. Iorns, Project Engineer, questions in regard to this subject, it was developed that the State Engineers had assigned employees to collect the desired information on irrigated areas and that Mr. Iorns was to outline the work in order to have it assembled on a uniform basis. Just what lands should be included must be decided upon immediately in order not to delay the desired work.

Mr. Merrill, Attorney, Pocatello, Idaho, outlined the principle of prior rights in making a division of waters of the Bear River between the three states, and questioned the necessity of collecting information on irrigated areas. Messrs. Myers, Lowham and Hunter, property owners, discussed the value of the so-called willow areas in furnishing feed to livestock during the fall and winter months and also noted the importance of willows and trees as providing shelter for livestock during periods of bad weather. After discussion by several others, it was developed that the state representatives were not entirely in agreement on this subject. It was, therefore, moved by Mr. Bishop, seconded and unanimously carried, that the question should be settled after lunch in order to give the state representatives an opportunity to caucus during the lunch period.

The grouping of priorities by years for the three states was outlined by Mr. Kulp, Reclamation Engineer of Idaho, noting that it was not necessary to segregate the individual rights for a division of the water. Delivering of water to the individual rights would be the responsibility of the states after the compact was in effect. Contributions to this subject were also made by Messrs. Bishop, Wing, and others.

DUTY OF WATER

Chairman Watson noted the importance of having a uniform duty of water by all three states. In discussing this subject, Mr. Thomas, Engineer on investigations for the Bureau of Reclamation, explained the importance of restricting irrigation to actual rights and requirements in order to make the Bureau plan of development feasible by storing the excess supply to be available for the irrigators upon demand and when actually needed. After several contributions were made by those in attendance, each State Engineer was asked to discuss his State Laws on the duty of water and beneficial use.

The meeting adjourned for lunch at 12:00 noon and reconvened at 1:00 p. m.

COMPREHENSIVE PLAN OF DEVELOPMENT

In opening the afternoon session, Chairman Watson announced that there seemed to be some misunderstanding as to how each state and each section of the river would be benefited by the proposed Bureau of Reclamation plan which could not

be started until a compact had been agreed upon. Mr. Thomas, by request, explained the Bureau plan with the aid of a map showing how each section of the river would be benefited and outlined the development to be gained under each unit in the Bear River Basin. He gave figures showing the number of acres to receive a new water right and also the number of acres to be benefited by a supplemental supply for each proposed unit. He concluded by stating that the three states would be benefited as indicated below:

	<u>New Acres</u> <u>to be Irrigated</u>	<u>Acres to Receive</u> <u>Supplemental Supply</u>
Idaho	52,000	78,000
Utah	65,000	92,000
Wyoming	10,000	16,000

The question of including brush lands in outlining irrigated areas was again brought before the meeting. After considerable discussion, it was apparent that the State Representatives were not yet in a position to vote on this subject. Mr. Wing made a suggestion that in addition to the cultivated and pasture areas outlined by the Bureau of Reclamation that the brush lands which have been irrigated and included in adjudication rights be outlined separately in order to have that information available for the use of the committee at a later date if found to be desirable. This seemed to be a satisfactory solution of the problem and each State Engineer agreed on that procedure.

TRIBUTARY STREAMS

The Chair then raised the question as to whether tributary streams should be continued in the detailed hydrographic investigation. Mr. Iorns, Project Engineer, who was called upon to discuss this problem advised that some of the smaller streams could be eliminated as they would not affect division of the water on the main stem of the Bear River. Continuation of collecting diversion records of tributary streams would require additional funds in order to cover the next irrigation season. It was noted that some of the major tributaries such as the Thomas Fork and Smith's Fork could not be eliminated from the detailed work. After discussions by several in attendance, it was moved by Mr. Kulp, seconded and unanimously passed, that the question of collecting diversion records on tributaries be postponed to the next meeting in order to have recommendations from Messrs. Wing and Iorns for consideration by the Tri-State Committee meeting later at Montpelier, Idaho.

DRAFTING OF COMPACT

In accepting the responsibility of assisting the Tri-State Committee, Mr. Wing noted that he did not have sufficient personnel to assign to the work and emphasized the desirability of having Mr. Iorns of the Geological Survey assist his department in analyzing the basic data for developing a compact. Mr. Iorns then explained that his superiors had restricted the work of the Survey to the collection of the basic information with the thought that it was the state's duty to analyze the data for compact purposes. Following some discussion a motion was made by Mr. Bishop, seconded by Mr. Kulp and unanimously carried, "That the Tri-State Committee request the Director of the Geological Survey to enlarge Mr. Iorn's authority to include analysis of basic data in cooperation with Mr. Wing of the Federal Power Commission."

MONTEPELIER MEETING

Chairman Watson then asked the group as to what date would be best for the proposed Montpelier meeting. Following a brief discussion it was decided that the meeting should be held during the week beginning April 8, the exact date to be set after hearing from Mr. Wing.

Meeting adjourned.

Ed. H. Watson
Ed. H. Watson, Chairman

Temporary Secretary,
M. T. Wilson.