

A G E N D A

Meeting of Bear River Compact Commission at Jackson, Wyoming,
June 23 and 24, 1948.

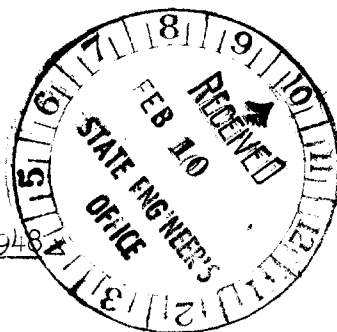
1. Opening of meeting and preliminary business.
2. Lantern-slide explanation of graphs showing for various sections of Bear River what effects the tentative compact would have on water supplies in years such as 1944 and 1946. Graphs projected onto a screen will show the 1944 and 1946 flows and diversions, the limitations imposed by the tentative compact, the storage allotments and provisions therefor, and the changes in flows that would occur if the tentative compact is put into effect — Mr. Irons
3. Discussion of tentative provisions of compact prepared by Mr. King and Mr. Irons and discussion of principles involved.
4. Adoption of procedure for presentation of tentative compact draft to water users.
5. Adoption of program for next meeting.

JUN 18 1948
State Engineer's Office

MINUTES OF MEETING OF
BEAR RIVER COMPACT COMMISSION

Jackson, Wyoming, June 23-24, 1948

Meeting No. 1



At a meeting of the Bear River Compact Commission held at the Wort Hotel, Jackson, Wyoming, on June 23 and 24, 1948, the following were present:

E. O. Larson, Federal Representative and Chairman
Mark R. Kulp, Commissioner for Idaho
Ed H. Watson, Commissioner for Utah
L. C. Bishop, Commissioner for Wyoming
F. M. Cooper, Chairman of Idaho Compact Commission
W. J. Hunter, Idaho Compact Commissioner
L. B. Johnson, Advisor for Utah
Hubert C. Lambert, Advisor for Utah
H. T. Person, Advisor for Wyoming
David P. Miller, Assistant Commissioner for Wyoming
Leshar S. Wing, Federal Power Commission, Co-author of
Compact draft
W. V. Iorns, Geological Survey, Co-author of Compact draft
C. K. Dam, Federal Power Commission
E. J. Baird, Water Commissioner of District Five, Idaho
T. A. Purton, Utah Power and Light Company
Gerald Irvine, Utah Power and Light Company
E. J. Skeen, Bureau of Reclamation
E. K. Thomas, Bureau of Reclamation

The opening session of the Commission was held on June 23, 1948, at 8 p.m. The Chairman read the call of the meeting and the agenda. It was agreed by the Commissioners that the purpose of this meeting was to hear Mr. Iorns' report and an explanation of the tentative draft of compact without discussion of controversial questions.

Mr. Wing commended Mr. Iorns for the excellent work he had done gathering engineering data for the compact and preparing the tentative draft of compact for submission to the Commission. A report written by Mr. Iorns consisting of six parts was distributed to the Commissioners and their Advisors. Part I is a general discussion of basic principles pertaining to the division of interstate waters. Part II is a discussion of the tabulation of water rights. Part III is a compilation of Water Rights, main stem of Bear River and Smith's Fork. Part IV is the tentative draft of Bear River Compact. Part V is a discussion of the tentative draft of compact. Part VI consists of a discussion of hydrographs showing resultant compact allocations to each state if the compact had been in effect during the years 1944 and 1946.

Mr. Iorns read the report, answered questions regarding it, and explained the effect the compact in the form submitted would have had on water diversions in the years 1944 and 1946 had it been in force. Lantern slides of hydrographs were used to advantage in making the explanations.

Questions discussed by the Commission included:

1. Whether the allocation of ten second-feet of water to the Upper Utah section is proper in view of the fact that there appears to be some question as to the quantity actually beneficially used. Mr. Bishop suggested that the quantity allocated for irrigation should be based upon and limited to beneficial use. He said that the compact should give all water users in all three states the right to use all the water needed for domestic and stock watering purposes.

2. Is it practicable to divide water between the Middle Utah and the Middle Wyoming sections of the river as provided in the draft of compact? Mr. L. B. Johnson, Advisor for Utah, said that no water should be turned down to the Middle Wyoming section unless there is at least 1,000 acre-feet of water daily at Woodruff Narrows. He asserted that if the compact is adopted as drafted it will seriously interfere with existing practices and water uses.

3. Is it desirable to include the tributaries in the compact? If not, some language should be agreed upon limiting the diversion of water from tributaries. Possible enlargements of the present irrigation systems and the construction of storage reservoirs on the tributaries should be covered by appropriate provisions in the compact. Specific provisions for the division of water and the administration of interstate tributaries may be desirable.

4. Should there be a limitation as to the quantity of water which can be diverted during the flood stage of the river? Mr. Johnson said that the holders of water rights with priorities earlier than the storage rights in Bear Lake should not be restricted in the use of flood water for the benefit of the junior storage rights in Bear Lake. Mr. Bishop agreed with Mr. Johnson's contention that diversions should not be limited during the high water season. Mr. Iorns said that some limitation on diversions is necessary if the compact is to be on a priority-of-right basis.

The questions mentioned above were not resolved but were left open for future discussion after the Commissioners had had an opportunity to study the draft of compact and the report.

Mr. Purton made a statement to the Commissioners with regard to the attitude of the Utah Power and Light Company toward the compact and further development on the river. The Power Company will defend its existing water rights, but does not wish to do anything to prevent the maximum use of water for irrigation purposes. He said that the power interests are tied in with the irrigation interests. The more prosperous the farmers are the more

power will be sold and the power company will try to assist irrigation development. The company will not be in a position to assist until a clear program is set up and its effects on the power rights are definitely known.

It was agreed that in the future the Commissioner for the state in which the Compact Commission meets shall have charge of arrangements for the meeting, and that the next meeting will be at Preston, Idaho, at a date in September to be decided upon by the Chairman and the Commissioners.

The Commission unanimously adopted a motion directing the Chairman to write a letter to the Director of the Geological Survey requesting that authority be given to Mr. Iorns to continue his work on the compact during the fiscal year 1949 and to collect and compile additional data as needed.

It was suggested that Mr. Iorns make a study of the allocations to each section of the river on the basis of 1 second-foot to 35 acres.

It was moved by Mr. Bishop and seconded by Mr. Watson that all reference to the Neponset Reservoir in the draft of compact be deleted and that a change be made in the report to show the capacity of Chapman Canal as 112 second-feet instead of 122 second-feet. The motion carried unanimously.

After considerable discussion of the question raised by Mr. Bishop as to whether a clause should be included in the compact permitting unrestricted within-basin use of water for domestic and stockwatering purposes, a motion that action on the question be deferred until a future meeting was adopted.

It was moved by Mr. Watson that each state be prepared to submit at the next meeting of the Commission, in written form, any proposed amendments to the draft of compact and any additional or substitute provisions which it wishes to have considered. The motion was adopted unanimously.

The Commission requested Mr. Iorns to make available ten additional copies of his report, including the draft of compact, for each of the states and three additional copies for the Bureau of Reclamation.

The meeting adjourned.