MINUTES OF THE

BEAR RIVER COMMISSION

ANNUAL MEETING

APRIL 20, 1977

BEAR RIVER COMMISSION

Minutes of Annual Meeting held in Salt Lake City, Utah

April 20, 1977

Minutes of the Annual Meeting of the BEAR RIVER COMMISSION held at the Hotel Utah Motor Inn, Salt Lake City, Utah, on Wednesday, April 20, 1977. The meeting commenced at 10:30 a.m., with Chairman Wallace N. Jibson presiding.

THOSE PRESENT:

UNITED STATES

Wallace N. Jibson, Chairman and Federal Representative, Logan, Utah

COMMISSIONERS

IDAHO

William G. Jenkins, Malad
Daniel Roberts, Preston
Clifford J. Skinner, Montpelier

UTAH

Daniel F. Lawrence, Salt Lake City (Secretary-Treasurer)
Paul Holmgren, Bear River City
Gordon Peart, Randolph

WYOMING

George Christopulos, Cheyenne
J. W. Myers, Evanston
S. Reed Dayton, Cokeville

LEGAL ADVISOR

E. J. Skeen, Salt Lake City

ALTERNATES AND OTHERS IN ATTENDANCE

Ken Dunn (for Steve Allred) Ex officio Member, Boise, Id.
Don Gilbert, Alternate Commissioner, Grace, Idaho
Joe Hedin, Preston, Idaho
Donald S. Rex, Bear Lake County Commission
Russell Stoker, Water Commissioner, Soda Springs, Idaho

Calvin W. Funk, Alternate Commissioner, Richmond, Utah
Bert Page, Division of Water Resources, Utah
Dee C. Hansen, Utah State Engineer, Salt Lake City
John P. Jensen, Utah State Area Engineer Office, Logan
Roland Robison, Ass't Regional Solicitor, Salt Lake City
Norman Stauffer, Div. of Water Resources, Utah
Marion Olsen, Div. of Water Resources, Utah
Blair Francis, Woodruff Narrows Reservoir, Utah
Roger Peart, Woodruff Narrows Reservoir, Utah

Clem Lord, Interstate Streams Commissioner, Cheyenne, Wyo.
John A. Teichert, State Bd. of Control, Cokeville, Wyo.
Marvin Bollschweiler, St. Bd. of Control, Evanston, Wyo.

Ted Arnow, U.S. Geological Survey, Salt Lake City, Utah
Donald G. Stewart, U.S. Fish & Wildlife Service, Denver, Colo.
Ned I. Peabody, U.S. Fish & Wildlife Service, Utah

J. G. Haight, Utah Power and Light, Utah
Thomas W. Forsgren, Utah Power and Light, Utah
J. S. Hooper, Utah Power and Light, Utah
R. B. Porter, Utah Power and Light, Utah

Connie Borrowman, Secretary

M I N U T E S

BEAR RIVER COMMISSION MEETING
April 20, 1977
Hotel Utah Motor Inn
Salt Lake City, Utah

Minutes of the Annual Meeting of the Bear River Commission, held April 20, 1977, at the Hotel Utah Motor Inn, Salt Lake City, Utah. The meeting commenced at 10:30 a.m., with Chairman Wallace N. Jibson presiding.

CHAIRMAN JIBSON: Gentlemen (and Connie), it is time that we convene the Annual Meeting of the Bear River Commission. This meeting was scheduled by the Bylaws to be on the third Monday of April, each year, which would have been on the 18th; but to make it a little more convenient for some who were attending other meetings this week in Salt Lake, it was decided that we would postpone it until today.

I regret that our 'Pony Express' mail didn't get notices to everyone. Notices of the meeting were sent out April 11, and Wes Myers received his notice yesterday. There may have been others who didn't get the notice at all. Then we had a schedule for 9:30 a.m., and Wyoming notified us that they were going to be a little late, so I took the opportunity to meet the Budget Committee at 9:30.

As is customary, I think we should have introductions at this time - by States. We'll call on Wyoming first to introduce your members, and then any others from your State who are here.

MR. CHRISTOPULOS: I'm George Christopulos, Commissioner from Wyoming. On my left is Wes Myers, Commissioner; and on my right is Reed Dayton, Commissioner, from Wyoming. We also have Marvin Bollschweiler, Hydrologist for the Commissioners and the Water Division of Wyoming; Clem Lord, Interstate Streams Engineer; and John Teichert, Division Superintendent of the Water Division. That is all we have.

CHAIRMAN JIBSON: Idaho -

MR. JENKINS: I'm Grif Jenkins, Commissioner. We have on my left Cliff Skinner, and Dan Roberts. I'll introduce to the group today Ken Dunn, the Deputy Director of the Department of Water Administration of this State, sitting in for Steve Allred, the new Director. Steve was required by the Governor to be at a Department Head meeting today in Boise, and no excuses were accepted. So that's where he is. Also, we have Don Gilbert, an Alternate Commissioner; and Russ Stoker, Bear River Water Master. And Don Rex, and Joe Hedin are here.

CHAIRMAN JIBSON: Utah -

MR. LAWRENCE: I'm Dan Lawrence, Commissioner; Paul Holmgren, from the Lower Bear of Utah; and Gordon Peart from the Upper Bear. We have the Alternate Commissioner Calvin Funk, from Richmond. Then Marion Olsen, member of the Board of Water Resources; Dee Hansen, State Engineer. We have John Jensen, Assistant Area Engineer in Logan. Mr. Peart and Mr. Francis are also present.

We surely wouldn't want to forget - and have someone introduce - Bob Porter, whom we are delighted to have with us. And of course Norm Stauffer of my staff. Bert Page is here; he's the acting Treasurer for the Commission - I get the title and the glory and Bert does all the work.

And residing in Utah with the Geological Survey is Ted Arnow - we are happy to have you.

Why don't you take over from there, Wally?

CHAIRMAN JIBSON: Okay. We have two other members of the Power Company - Jim Hooper, and Jay Haight. We have Roland Robison of the Solicitor's office (Interior) in Salt Lake; and our legal counsel, Ed Skeen.

So with the introductions, the next item of business will be:

REVIEW OF MINUTES OF LAST MEETING

Now the Minutes also were mailed out about the time the Notices were. I hope you received your copies and have had a chance to look at them. As is customary, I will review them briefly, and if you have any questions or comments please feel free to make them. I do have a couple of copies of the Minutes here if anyone wishes to look at them.

MR. LAWRENCE: Wally, I didn't read these, really. Are these the same Minutes that Connie did, or are they summarized or amended from the ones that she sent out?

CHAIRMAN JIBSON: No; they are just edited with no changes from the copy Connie sent me. I made a little more detailed summary of these than I sometimes do, because of some of the things that were discussed. This is a Special Meeting held February 17, 1977.

Review of Minutes
Special Meeting
Feb. 17, 1977

A Special Meeting of the Commission convened at 1:30 p.m., February 17, 1977, at Hotel Utah Motor Inn, Salt Lake City. The Chairman, all Commissioners, and Officers were present. Don Gilbert, Grace, was introduced as an Alternate Commissioner from

Idaho. The Chairman reviewed Minutes of the November 29th Regular Meeting that were approved as circulated.

The Chairman then reviewed activities of the Special Committee and the changes that had been proposed to the September draft of Compact amendments. Several items in the proposed revision were discussed including a change in the definition of 'Developable Water' which initially was considered as available water over and above that that had been put to beneficial use. The revised definition used beneficial consumptive use. The question of compensation was raised with regard to interference of UP&L Company direct-flow power rights by additional development. Mr. Forsgren, speaking for the Power Company, agreed with the concept of compensation or at least language that would subject further development to satisfaction of Power Company rights by compensation or otherwise.

Mr. Stewart, Denver office of Fish and Wildlife Service, mentioned his agency's concern relative to the consumptive-use wording as their rights at different times can be either consumptive or non-consumptive in use.

Mr. Higginson questioned the deletion of the section allowing for modification of allocation between States. Referring back to the November meeting, we find that Keith had suggested the deletion, but Mr. Jenkins had further suggested that it along with other questions should be referred to a special committee.

Mr. Lawrence read a Power Company suggestion for change in Article V,B, which would subordinate additional storage to existing flow and storage rights as determined and recognized in the State where the additional water would be diverted, but allowing for acquisition of hydropower rights by compensation, if requested by the Power Company.

Mr. Forsgren offered a further suggestion to the effect that the Company would recognize the basic additional allocation of storage above Bear Lake (74,500 ac-ft of storage and 28,000 ac-ft of total depletion) if the right to store flood or spill water as granted in V,C, were deleted. Mr. Forsgren also stated their desire to see language adopted that would prevent further re-apportioning after the Compact is amended. The latter suggestion met with some opposition as the Compact itself is subject to review and amending at any time. Additional discussion related to 'Equitable Apportionment' and its meaning.

Mr. Skeen then read another proposed definition for 'Developable Water' in which the term 'Vested' applied to the recognized rights rather than mention of consumptive use.

After a recess, Mr. Christopulos moved that we table further consideration of compact amendments at this time, but continue to study proposals in preparation of a draft by the next legislative session. This was approved as was a suggestion that the Commission

Chairman and Chairmen of each State delegation determine the course for further negotiating meetings.

Mr. Robison, speaking for the Bird Refuge, again mentioned their concern with the implication of the term, 'consumptive use' as it might apply to the Refuge right.

Meeting adjourned at 3:40 p.m.

APPROVAL OF MINUTES OF LAST MEETING

CHAIRMAN JIBSON: I think I have covered the highlights of the meeting. Do we have any discussion before a Motion is in order for approval as circulated? If not, a Motion would be in order to approve the Minutes as they were circulated.

MR. JENKINS: I so move.

MR. CHRISTOPULOS: I'll second.

CHAIRMAN JIBSON: It has been moved by Mr. Jenkins; seconded by Mr. Christopulos, that we approve the Minutes as circulated. Any further discussion? If not, all those in favor say 'aye'. Opposed?

Motion Carried.

REPORT OF CHAIRMAN

CHAIRMAN JIBSON: Our next item will be the Report of the Chairman. I'd like to make a few comments a little later in the meeting, wo we will go to the Report of the Secretary-Treasurer.

REPORT OF SECRETARY-TREASURER

MR. LAWRENCE: Mr. Chairman, I would like to ask Mr. Bert Page to make that report, please.

MR. PAGE: Do the members all have a copy?

The Financial Report begins with the period October 1, 1976. As you recall, the fiscal year ended September 30, for the first time. The funds from the three States - the assessments each year - were paid during the short interim period; so they do not reflect on here as being either assessed, or paid - and they are included in the Cash on Hand beginning balance. And if my memory serves me right, they were $16,000 for each State, and they were paid currently.

(The report follows.)

BEAR RIVER COMMISSION

STATEMENT OF INCOME AND EXPENDITURES

FOR THE PERIOD OF OCTOBER 1, 1976, to March 31, 1977

INCOME	CASH ON HAND	MISC. INCOME	APPROVED BUDGET	TOTAL REVENUE
Cash Balance 10/1/76	$57,900.63	$ ---	$ ---	$57,900.63
State of Wyoming	---	---	* ---	---
State of Idaho	---	---	* ---	---
State of Utah	---	---	* ---	---
Interest on Savings and other Income	---	---	* ---	---
TOTAL INCOME TO MARCH 31, 1977	$57,900.63	$ ---	$ ---	$57,900.63

DEDUCT OPERATION EXPENSE

EXPENDED THROUGH U.S.G.S.	Approved Budget	Unexpended Balance	Total Expenditure
Stream Gaging	$39,700.00	$39,700.00	$ - 0 -
Personal Services	6,800.00	6,800.00	- 0 -
Travel	200.00	200.00	- 0 -
Fiscal Charge	488.00	488.00	- 0 -
Washington Office Charge	976.00	976.00	- 0 -
General Office	136.00	136.00	- 0 -
Sub Total	$48,300.00	$48,300.00	$ - 0 - *

*Entire Bill to be paid 9/30/78

EXPENDED THROUGH COMMISSION			
Printing Annual Report	$ 720.00	$ 720.00	$ - 0 -
Treasure Bond & Audit	300.00	25.50 CR	325.50
Transcription of Minutes	140.00	90.00	50.00
Legal Consultant	300.00	1,276.85 CR	1,576.85
Office Expenses & Supplies	40.00	38.50 CR	78.50
Miscellaneous	---	---	---
	$ 1,500.00	$ 530.85 CR	$ 2,030.85
TOTAL EXPENDITURES	$49,800.00	$47,769.15	$ 2,030.85

UNEXPENDED CASH BALANCE OF MARCH 31, 1977 $55,869.78

*The three states paid their assessment in the three month interim period.

BEAR RIVER COMMISSION
DETAIL OF EXPENDITURES
FOR PERIOD ENDING MARCH 31, 1977

Voucher No.		
236	Utah State Treasurer	$44,000.00*
237	State of Utah Central Printing	52.50
239	E. J. Skeen	300.00
240	Postmaster	26.00
241	Void	
242	Connie Borrowman	50.00
243	E. J. Skeen	181.69
244	Morrison, Rindlisbaker & Gilchrist	275.50
245	E. J. Skeen	331.38
246	E. J. Skeen	763.78
247	Beacon Insurance Agency	50.00
	Sub Total	$46,030.85
	LESS: Amount Above in Savings Account	44,000.00
	TOTAL EXPENDITURES PER PAGE 1	$ 2,030.85

BANK RECONCILIATION
MARCH 31, 1977

Cash in Bank per Statement 3-31-77	$ 869.78
Less: Outstanding Checks	None
Total Cash in Bank	$ 869.78
Plus: Savings Accounts-Utah State Treasurer	55,000.00
TOTAL CASH ON HAND IN THE BANK	$55,869.78

MR. LAWRENCE: Mr. Chairman, could I make one comment on the report?

During the reporting period we have had some, I guess, unusual activities in that we had some public hearings in each of the three States, and we've had some special meetings. Our long-standing practice has been that Connie has taken leave from her regular job with the State Board of Water Resources to take the Minutes of this meeting, and she's transcribed them for the $50 fee - and then the transcription has been going to Logan and Mr. Jibson's office, with his help there, has been producing the Minutes. We elected, without consulting the members of the Commission, with respect to the hearings, to assume that responsibility from the Division of Water Resources in the State of Utah. We know it wasn't in the budget, and it was expensive, and it was several times the $50 - but we felt that rather than confuse the issue there, we would try and balance that with some of your travel expense as you come to Salt Lake. It's only 1/2-mile from the Capitol Building down here, so it doesn't cost us as much as it does Idaho and Wyoming to come to the meetings; and so that's the reason that the secretarial amount is only $50. I don't know if we're making that offer every time, but we did for the meetings last held. Connie hasn't billed for a couple of the regular meetings, I think, but for those hearings, Utah will just assume that.

CHAIRMAN JIBSON: Speaking for the Commission, I am sure that we appreciate that gesture on the part of Dan's office. I know Connie has put a lot of time in the Minutes of the Hearings and the Minutes of the meeting that followed - because this time she had to not only transcribe them, but get them reproduced also, since I was extremely short of secretarial help for a period of time - and we do appreciate it.

I might mention one other thing that I called to the Budget Committee's attention this morning. That is, that when the Federal Government switched over to the new fiscal year, we had a transitional quarter of three months; and we had accumulated enough in the reserve of the Commission funds that we were able to, without additional assessment to the States, cover that transitional quarter. This is the reason that our reserves are not as large at this time as they have been. You'll notice that with the obligation yet to be paid to our agency of $48,300 that we will have in reserve about $7,600, and there will be other expenses against that - printing of the Annual Report, and as Dan mentioned, there are a couple of meetings for transcription, and other items. But, overall, I think we have been doing very well - partly through the suggestion of Mr. Jenkins a few years ago that we put our money in savings. And, we were able to change the billing procedure of Geological Survey to once each year instead of every six months - which enabled us to keep that money in savings six months longer. We will discuss, as I review my report on the Budget, a little more detail on what we are estimating in the next two or three fiscal years.

Do we have any further discussion on the report of the Secretary-Treasurer?

MR. JENKINS: Wally, a couple of questions. Bert, on page 2, this is the detail of expenditures for the period ending March 31 - is that beginning October 1? This is for the six-months' period?

MR. PAGE: That's correct.

MR. JENKINS: And on page 1, the deduction for operation expense expended to USGS - Stream Gaging, $39,700 - is the amount that we anticipate that we will be billed, and will have to pay, then, on September 30, 1977. Is that correct?

MR. PAGE: No; the $48,300. You recall this morning in our Budget meeting we were talking about three different categories that we have - one is where it's paid direct (for stream gaging); one is for Compact Assistance; the other one is paid direct from our checking account. The $39,700 is the first item; the other items make up the second column - and 'expended through Commission' is the third item. I don't know whether that confuses the issue, or not; but that's what Wally was trying to explain this morning. But they are all made up, as far as we are concerned, into one figure for the Commission.

MR. JENKINS: Well, I understood what he was saying this morning, but we started talking about the numbers. You've lost me here. Try that once again.

MR. PAGE: On the report that Wally gave the Budget Committee this morning - the budget for the coming year - there were three columns. One was spent directly for stream gaging; the other was called 'Compact Assistance'; and the third column was the column that is spent directly (for other Commission expense) out of the Commission checkbook. The first two are paid directly to the G.S. This $39,700 is a co-op sharing - we pay half; they pay half. The personal services, travel, fiscal charge, Washington office, and general office are 'Compact Assistance' items that we have to pay in addition to the matching share with the G.S. - which totals $48,300.

MR. LAWRENCE: Okay; and just one minor technicality. $39,700 is half of the stream gaging - not all of the stream gaging. Just our half.

MR. PAGE: (Yes). It's being matched by the G.S. an equal amount. But the other five items, there, - 'Compact Assistance' items, we have to pay in full. So they are listed. They all go to the G.S., so it's paid directly through our checking account to the G.S. Whereas the item down below - where it says 'expended through Commission' they are bills that we pay. Housekeeping expenses, mainly.

CHAIRMAN JIBSON: In the Budget breakdown that I handed out to the Budget Committee this morning, it's the first two columns. The third column is excluded from Cooperative Agreements. Are there any other questions?

MR. FUNK: What are Personal Services?

CHAIRMAN JIBSON: Personal services are salaries. As a general rule, our salaries run about 70% of the overall budget. The Personal Services here, primarily, is that part of my salary that is paid for my work with the Commission. The salaries paid for stream-gaging activities are included in the Stream Gaging above. The $6,800 is primarily my service, that part of my salary that applies only to the administration of the Compact that is not matched by the Federal government.

MR. SKEEN: I would like to refer to the items on page 2 - Item 243 assessed to me of $181.69. All of that check went to repay for the cost of publishing notices of the public meetings in various newspapers in three states. The same is true of item No. 245. All of that went to cost of publishing notices; and 246. As I recall it, a small part of that also went to publishing notices.

MR. PAGE: That's correct.

MR. SKEEN: I think when I submitted the statements I had the breakdown between expenses and -

MR. PAGE: That's correct. All this lists is who the check went to, Ed, and not what they are for.

MR. LAWRENCE: I think it might be appropriate, Bert, next time to indicate that portion which is legal services and that which is expenses of Mr. Skeen.

MR. PAGE: I guess I could, on the next report, break out that amount and call it 'Miscellaneous' on the front page - and then leave the legal expenses as such. The bill could have come direct to us, and then it wouldn't show as legal services.

CHAIRMAN JIBSON: Any other questions?

MR. LAWRENCE: Mr. Chairman, maybe this is the appropriate time - I was going to wait until after the next item, but I believe it is related.

The Washington office charge on page 1 of the Financial Report - now, let me turn to the Bylaws; and they describe the duties of the Chairman of the Commission, and the Vice-Chairman, and the Secretary, and an Assistant Secretary. There may be some, like me, who are not thoroughly familiar with the arrangement of the 'Chairman of the Commission' and the 'Assistant Secretary' to the Commission. Would you take a moment and explain that to us now? With the one hat you are working, I guess, for Ted Arnow as Assistant Secretary to this Commission; and with another hat you are working for the President of the United States directly? And do you receive any compensation for that? And why do we get charged 'Washington Office'? I guess I'm leading up to the question - with you, as the Chairman, should we still have an Assistant Secretary?

CHAIRMAN JIBSON: I had anticipated that this question would come up later in the meeting.

MR. LAWRENCE: Well, I would be glad to hold.

CHAIRMAN JIBSON: I think it might be just as well to discuss it now.

The President appoints a Federal Representative who, not by presidential action, but by an Article in the Compact itself, automatically becomes Chairman of the Commission. The Office of Management and Budget, which is the President's 'right-hand man' on all budget matters, has stated in instructions to the Federal Representative, that his Federal agency, with whom he is working - or in case of retirement, with whom he has worked - will pay the necessary expenses of the Federal Representative and Chairman, in this case. I mentioned the details of this to the Budget Committee this morning. When they first asked for my recommendation on this amount, all I could go by were Mr. Larson's previous charges - so I estimated a very nominal amount before realizing or thinking about how much additional work we were going to have in the past six months. So after spending about five times as much as we asked for in the initial allocation, we asked for an adjustment in that. And hopefully they will give us the adjusted amount of $2,500. There may be a question as to whether Washington office charges come out of this. Our administrative officer thought it did; and I do not know the details on that. But, if it does, it's $2,500 less the 9% Washington office charges.

For next year, we again have asked for $2,500 in that fund, and hopefully we will get this amount. Now, with regard to the Assistant Secretary, the money expended through the cooperative agreement for Compact Assistance goes to pay the Assistant Secretary's charges for work in administration of the Compact and working with State water commissioners, and preparing the Annual Report, and so forth. This has gone through the cooperative agreement, in which the Washington office charges have been assessed.

We have to make determination sooner or later, and perhaps today we might be thinking about it - as to the office of Assistant Secretary. I might mention two or three alternatives. In giving this considerable thought during the past six months, I think that my work for the Commission can properly come under my designation as head of the Logan office for the Geological Survey. We had some guidelines set up when we first entered the program in 1958; and it would be my opinion that this work could be carried on as it has been carried on but without it being as an office of the Commission. There may be some question on this. Another alternative is that the Assistant Secretary position be eliminated altogether. Another is that there be considered a vacancy in the Assistant Secretary office as of this time, and an appointment be made at a later time.

But coming back to this idea that I could do the work that I have been doing without the title of Assistant Secretary. It would

seem to me that the position could be filled considering it as stated - an Assistant to the Secretary. I can see whether either Connie or Bert, in a very real sense, are Assistants to the Secretary. Connie, of course, is an Assistant to the Commission, also.

These are two or three alternatives that I have been mulling over in my own mind that might be considered today. I mentioned also to the Budget Committee, an item that will come up in the future - in a couple of years or so - that I don't suppose we need discuss today. But it might change the category of the Assistant Secretary now financed through the cooperative agreement. I am 'over the hill' and am thinking of retirement in a couple of years, and there may be something that we should think about here with respect to the Assistant Secretary.

Anyway, I toss these out as something the Commission might be thinking about. We would welcome any comments from the Commissioners in this respect.

It is true as Assistant Secretary, even though an officer of the Commission, since it goes through the cooperative agreement, any disbursement that is made through the cooperative agreement is tagged for overhead expenses in the Washington office and to our administrative expense in Salt Lake - Ted's office.

MR. LAWRENCE: That's part of the cooperative agreement? Right.

And do you see any reason - well, if we have to have an Assistant Secretary to satisfy the terms of the cooperative agreement, is there any reason why you can't serve as both Chairman and Assistant Secretary, then?

CHAIRMAN JIBSON: Offhand, I would say no; - if you want to set it up that way.

MR. LAWRENCE: And isn't this the reason the position is set up, Assistant Secretary, is for that very purpose - to administer the office for the Commission?

CHAIRMAN JIBSON: Yes, to back up a little into ancient history - the organizational meeting of the Commission in March, 1958 - much discussion took place on this. It was not the desire of the Commission, nor was it the desire of the Geological Survey, that I should serve as an Interstate Commissioner. I guess essentially, some of my duties are as an interstate commissioner; but it was suggested at the time by Mr. Kulp of Idaho, that the position be titled 'Assistant Secretary' rather than 'Interstate Streams Commissioner' - or something similar - with the thought in mind that I would be doing just what I have been doing for the past 20 years.

MR. LAWRENCE: That's all I have.

CHAIRMAN JIBSON: Any other comments along this line?

MR. SKEEN: The only thing that I would say is that if the Commission should decide to abolish the office of Assistant Secretary, it couldn't be done at this meeting. It would have to be done after notice of that intended action, given in advance of either a special, or general, meeting of the Commission. With respect to naming someone else to succeed - if that decision were arrived at - it could be done at this meeting. Just off the cuff, it seems to me that it is something that ought to be thought about a little. I don't think there is any great urgency in it.

CHAIRMAN JIBSON: I might mention again that if this idea comes to you of naming someone else, that the duties of the Assistant Secretary could be different than they are now - or have been in the past. His duties could be, as I mentioned, those of an assistant to the Secretary.

MR. LAWRENCE: Is there any imcompatibility with that duty and the duty of the Chairman?

MR. JIBSON: I think not. I can't see that the question of bias should come into it; because, had I been going to be biased, I'd have been diased a long while ago. I'm sure the Chairman should not be biased; nor should the Assistant Secretary. I can't see any question of conflict of interest or bias.

Do the other States have further comments? Should we follow Ed's suggestion?

MR. LAWRENCE: It has been helpful to me; and I appreciate your spending the time to bring me up to speed on it. I don't recommend that we take any action at this time.

CHAIRMAN JIBSON: We could table it at this time - and give it some thought.

REPORT OF ASSISTANT SECRETARY

CHAIRMAN JIBSON: Our next item, then, is the Report of the Assistant Secretary. Incidentally - I brought a few copies of previous Minutes, if anyone needs an extra copy here today that they want to refer to.

We do welcome Ken Dunn here from Idaho. He tells me that he has talked with Keith Higginson a time or two, and Keith has a challenge, to say the least.

Okay, if we all have copies of this handout report. This is our usual report for our Annual Meeting in April - of what we can look forward to in water supply and Compact operation. (It would probably be better if we didn't know.)

(The Report is attached, with the following comments as indicated.)

(Bottom of page 1)
CHAIRMAN JIBSON: Looking over some of our key stations, you'll notice that Bear River near Utah-Wyoming line, which measures the runoff of the Uintas, as about the best of a poor outlook. The forecast for April 1 raised quite a bit over the March 1 forecast; our people report we have some good solid snow up where our gaging stations are on the East Fork of Bear River, and the West Fork of Bear River. I don't know what it's like above these points, but it's the best snow they have run into and the only snow where they have had to use a snowmobile this year. We have been getting a little runoff from that area, and it's forecast at 42% of average. Last year's April-July flow, which was only 70% of normal, was 80,000 ac-ft against 45,000 forecast this year. The projected estimate for 1934 would show 33,000 that year; and our measured flow in 1961 was 56,000 acre-feet.

Coming down to Smiths Fork, which is the major supply in the Central Division between Idaho and Wyoming, the division that involves the most regulation for the longest period of time, is somewhat lower with a forecast of 35,000 acre-feet, 30% of average and 135,000 acre-feet last year. This for the April-September period. Again, the projected 1934 flow was 30,000 and 49,000 measured in 1961. The Compact was in operation in 1961, having been in operation only three years. Headgates and diversion dams were in rather poor shape throughout the upper basin, and we had a turnover of three water commissioners in that year in the Cokeville area. One of them came to me the other day and said, "You're a great friend of mine. You recommended me for that job in Cokeville in 1961; now Budd Robinson has passed away, so you have recommended me for the Logan River job for this year with Logan River to be the lowest of record."

Then at Bear River at Harer, as I mentioned up above - this is reflecting almost total usage above Pixley Dam for irrigation. So we are down to 10% of the 1958-72 average with 30,000 ac-ft forecast in the period as against 332,000 last year.

MR. LAWRENCE: Does that mean that last year was an average year?

CHAIRMAN JIBSON: Last year was a little better than average from Smith Fork; it was exactly average in the Lower Basin; but only 70% of average from the Uintas.

MR. LAWRENCE: Well, at that gage (Harer). You said that 30,000 is 10% of the average, and it also happens to be 10% of last year.

CHAIRMAN JIBSON: Well, 10% of 300,000 (332,000 last year); so it's very close to average last year (Harer). So we can see how serious the situation is unless we get drastic changes.

Coming down to Cub River, we are forecasting 18,000 which is 36% of average - compared to 53,500 last year - and estimated at 17,000 in 1934 and 28,000 measured in 1961. Logan River is forecast at almost exactly the 1934 measured runoff of 40,000 ac-ft - 35% of average - at 40,000 compared to 114,000 last year (about

average). Blacksmith Fork is 14,000 - 29% - against 54,000 last year; and, Little Bear River is forecast at only 6,000 compared to 37,000 last year - just one-sixth of what we had last year.

(First paragraph, page 2)
It's interesting to note, with this active content, that for the people dependent on Bear Lake, there should be no water shortage this year; and with that amount of water in Bear Lake, even with extremely poor recovery during the next three years, we will have a carry-over that would take care of almost three years like 1934. We do have greater usage today (than 1934), but it is a tremendously important holdover reservoir in the system.

They are not releasing any Bear Lake water; this is natural flow water for the West Side Canal. They have had to request an early diversion through Utah-Idaho Sugar Company to try to irrigate some of their land before they plant it. There has been a little hassle over there, I understand.

(Third paragraph, page 2)
We suggested that they shut their gates here (Hyrum) a couple of months ago, because we knew they wouldn't be bothering anyone down below when the "high" water went through. It is one reservoir in the Basin that is full.

(First paragraph, page 3)
I am basing this statement, as I said, on past dry years we have studied. I have the 1961 record of Bear River below Pixley Dam, which we usually start on May 1 each year. From the first of May on through the season, there was nothing but a very small amount of leakage at that station. The month of May averaged 0.86 of a second-foot. In the last six or eight days of April it was 2 second-feet, and looking back at the station immediately above, Bear River near Randolph, we see that there was around 50 or 60 second-feet the first ten days of May, practically all of which would be diverted at Pixley Dam and BQ Dam. So, essentially, there is no water entering the Central Division from the Upper Division this time of the year in a dry season. So, we would gain nothing by insisting that the diversion to storage in that area ceased as of today, which we could do under the Compact. This is something maybe we should discuss today; we will have to make that determination.

(Third paragraph, page 3)
The 1978 fiscal year budget has already been approved in the legislatures of the States, so we found out the amount approved in each State, and this information was given to the Budget Committee this morning.

CHAIRMAN JIBSON: That is the report.

We might, George, discuss those two rights that I show on page 6. These are rights to the Cumberland Coal Company. The first is an anti-pollution right, pending, for 45.55 acre-feet, and it is a storage right. The second is a stockwater right, which seems rather

unusual in a 100-foot dam that will impound 338 acre-feet. This is also pending. I didn't get a chance to call anyone concerning these rights. Did you intend that they would come out of your allocation?

MR. CHRISTOPULOS: I really don't think so, but I am not familiar with the applications.

CHAIRMAN JIBSON: I brought the summary copies that we received and it doesn't include all of the information; but in the 45 acre-foot right they mention the height of a dam at 15 feet. In the larger right, 338 acre-feet, they mention a 100-foot dam across a stream.

Now we might refresh our memories of Paragraph C under Article V, dealing with additional storage - which states, "Subject to existing rights, each State shall have the use of water for farm and ranch domestic, and stock watering purposes, and subject to State law shall have the right to impound water for such purposes in reservoirs having storage capacities not in excess, in any case, of 20 acre-feet, without deduction from the allocation made by paragraph A of this Article." I believe my interpretation in both cases is that this would be chargeable to your allocation.

MR. CHRISTOPULOS: I really think that this is probably misleading. I think they are probably both anti-pollution reservoirs; and they are probably both intending to store water for geo-water operation. What I should do, really, is see what the facts are, and get back to you. They don't appear to be - in my way of thinking, we wouldn't come up with a stockwatering reservoir like this. I'll have to look at it; and until I have done that, I can't say.

CHAIRMAN JIBSON: I couldn't believe that, either.

MR. TEICHERT: In some of that mine operation there is water in the bottom.

MR. CHRISTOPULOS: I would be more inclined to think these are probably required as part of their mining activity. This is what I think.

CHAIRMAN JIBSON: This question as to what Compact reservoirs are limited to, as far as the use of water, has come up before. One group came to me concerning a recreational-type reservoir - a non-consumptive use, essentially. The Compact does not state, in Article V, that the additional storage rights are limited to irrigation. There is nothing about industrial use; nothing about non-consumptive use. So, the only answer I could give the group was that as I read the Compact, it would have to be chargeable to, in this case, Utah's allocation. I think if you can find the details on that, George, it would be helpful.

MR. MYERS: Where is this pond?

CHAIRMAN JIBSON: At your site. (The recreational-type reservoir, West Fork Bear R.)

MR. MYERS: At my site?

CHAIRMAN JIBSON: In the Utah applications I found that my assistant who ran totals, converted acre-feet to second-feet - which is alright, except on page 8, where we see a storage right of 55 acre-feet for domestic use on Pea Vine Creek - I didn't know where Pea Vine Creek is, but found this development is proposed on the upper areas of East Fork of Little Bear River or Blacksmith Fork. This would not have to come out of the Utah allocation to the Compact because it's not above Bear Lake; however, it should not have been converted to second-feet - and so in the totals on page 12 - we should change 'pending surface water right' from 105.35 to 77.51 second-feet; and then add to the pending column 55.22 acre-feet. Conversely, some other rights are given in acre-feet rather than second-feet and probably should have been converted because some industrial users prefer to have their right in total gallons or total acre-feet rather than a flow rate. So many of these are not storage rights. I was talking with Mike Turnipseed yesterday, and most of these, he said, would not be storage rights, but evenso are shown in acre-feet. The Amoco Production Company has several shown in acre-feet.

REPORT OF COMMITTEES

Budget Committee

CHAIRMAN JIBSON: It may be appropriate at this time to have a report from the Budget Committee on our meeting this morning, and what the Committee recommendation might be on the 1978 budget. Also, I found that I was not looking far enough ahead; we should have made a tentative estimate for the 1979 fiscal year and even the 1980 fiscal year. Wes is Chairman of the Budget Committee.

MR. MYERS: We spent some time on this proposed budget this morning. You all have it in your copy of Wally's report.

I would move at this time that we accept this budget for the fiscal year ending September 30, 1978 for the total as suggested: $41,000 from the Geological Survey; $41,000 from the Bear River Commission; for a total of $82,000 in the streamflow gaging column. In the second column, the Bear River Compact Assistance, nothing from the Survey; $10,600 from the Commission. And in the third column, which is attributable directly from the Commission account, $2,340 from the Commission. Totalling $94,940.

MR. JENKINS: Mr. Chairman, second the Motion.

CHAIRMAN JIBSON: It has been moved and seconded.

MR. LAWRENCE: Could I raise a question? Now, this would be based on an annual assessment, plus our reserves? The annual assessment

would be how much for the fiscal year involved? to the States?

MR. MYERS: $18,000 (each State) is the way we set it up, and it has been approved in all three States, I believe.

CHAIRMAN JIBSON: In calling this morning to Wyoming and Idaho offices and from Bert's report, each of the three States has approved the budget for 1978 - at least in the amount of $18,000 - which is $54,000 for the Bear River Commission - so we would not have to go into our reserves.

All in favor say 'aye'. Opposed?

MOTION CARRIED.

MR. MYERS: We found out this morning that Idaho has asked to have their budget information in by August or early September, before our next regular meeting.

MR. LAWRENCE: That's also true of Utah.

MR. MYERS: With that in mind, and with a lot of unknowns, I would like to make a Motion that for the fiscal year ending September 30, 1979, each State be requested $20,000 and for the fiscal year ending September 30, 1980, $22,000 from each State. And the reason we have to go two years, is because Wyoming is still on a biennium basis, and this would be written up in Wyoming in January and presented to the legislature in January. I would so move.

MR. JENKINS: Second.

CHAIRMAN JIBSON: Any discussion on that? All in favor? Opposed?

MOTION CARRIED.

MR. LAWRENCE: I have a question on procedure. It's certainly appropriate, and courteous - if not required - that someone notify each of the three States of this action. Or do we just take this home and store it in our memory book? How have we handled that other years - this $20,000 and $22,000?

CHAIRMAN JIBSON: Well, we haven't made an official notice to the States. You people who contact legislatures, carry that figure in your regular budget to the legislatures. Perhaps we should change that procedure. Do you have a suggestion?

MR. LAWRENCE: Well, I just wondered if that was my job as Secretary-Treasurer, to notify each of the States about the time that they start preparing their budget. Or will that be automatic that the members of the Commission will do that?

CHAIRMAN JIBSON: It might be helpful if you took that responsibility. It would be alright with the Chair.

MR. LAWRENCE: I'll try to remember.

CHAIRMAN JIBSON: We have had a report of the Budget Committee. We haven't called the Operations Committee together, until after a discussion today on the other point that I raised. And perhaps before we leave my report, we ought to back up - as to what the Commission's feeling is on when to terminate diversion to upstream storage this year? Do you concur with my recommendation? Do you have alternate suggestions to make? Do we have any feeling by the States in the Central and Lower Divisions on the suggestion?

MR. MYERS: Well, I think you have approached it from a very practical standpoint, because there comes a time when, no matter what you do, the water just never gets there. I think you have included that on a practical basis.

MR. CHRISTOPULOS: I think what you are saying is that, really, the thing kind of has a tendency to take care of itself upstream, with not regulating or trying to pass any water through; therefore, whatever regulation occurs up there will work alright.

CHAIRMAN JIBSON: Not only regulation of direct flow, but also when you decide the reservoir storage should cease. Notwithstanding the fact that the Compact states that in any river division (storage shall not take place) if direct-flow rights are being impaired. And, I certainly would not make this recommendation if I thought it would, in the least degree, affect either the Central Division or the Lower Division.

MR. TEICHERT: I feel that a lot of the water users in Wyoming and Utah, on grounds where in the past we may have had more of this flow water because of changes in the cropping pattern - I can see thousands of acres every year that sprinkle up there - and if the meadows, at least, were irrigated there would be some return flow in the Central Division.

CHAIRMAN JIBSON: It is true there are some return flows below Pixley Dam - between Pixley Dam and Cokeville. You will continue to get those return flows; but they will tighten Pixley Dam - and I imagine that it's tight today. When we look at 1961, there was no water left the Upper Division. We can be 100 percent sure that regardless of what we do with storage up there - whether we start using it; whether we put it into Woodruff, Sulphur Creek, whatever - that you are not going to see that water passing out of the one division into another. I don't think that return flows coming into the River between Pixley and Cokeville will be affected other than the fact there will be less return flow in the dry year, but you will get that benefit. And that benefit might do you more good - if water is stored (now) in the reservoirs above Pixley.

MR. TEICHERT: I don't think we are going to stay inside the reservoir; but I for one feel that if you are going to irrigate these lands above the canal it should be storage water that is used on these grounds.

CHAIRMAN JIBSON: You mean out of the pipeline? I wonder how much of that type of use we will have. I know we will have some. Do they have a right for direct flow or is that storage?

MR. TEICHERT: I don't know about Utah policy - but in Wyoming they have a direct-flow right, but it would not be valid in a year like this.

CHAIRMAN JIBSON: I know in Allan Adams' case, this was a transfer of direct-flow rights.

MR. TEICHERT: They have new filings in Wyoming; but one of the things that would be available for those, of course in priority, would be (can't hear)

CHAIRMAN JIBSON: I see nothing in the Compact that prohibits you, as Wyoming's water commissioner, from going into the Upper Division (in Wyoming) and regulating water. But the Compact does not require any delivery of water beyond the Upper Division to satisfy the Central and Lower Divisions.

MR. TEICHERT: I can't anticipate that; my worry is that BQ and Pixley Dam get what they are entitled to.

CHAIRMAN JIBSON: Well, this is another point. At a time early in the season - and it might go late in the season this year - they sit there a couple of weeks waiting for the return flows from Utah diversions to give them more water than Utah has at the later date. The first year or two we operated under the terms of the Compact they (BQ and Pixley Dam users) were quite upset about this.

Also, at the later time it was more vital to them, they were able to divert more water per acre of land than the Utah section above, because they were getting the effects of the return flows. So, for the past several years, they have been patient for a week or two without asking for restrictions on the Utah operation, knowing that they would get the water. I think any way we do it this year, it is going to be a difficult situation.

MR. KEN DUNN: Mr. Chairman, for distribution between the divisions, when flow reaches a certain level the waters are distributed without regards to State lines. I wonder if people are storing water, rather than allowing it to pass down the River, and if they are precluding someone's use downstream to the water who haven't had their quota?

CHAIRMAN JIBSON: It isn't tied to the river flow - if I understand what you mean - except as it applies in the Lower Division. Is this what you are referring to?

MR. DUNN: Yes; and also in the Upper Division.

CHAIRMAN JIBSON: No. We have nothing tied, except to a condition of water emergency, which is initiated when the total divertible

flow in both States in a division (total diversion in the Division) drop to a certain point; or, in the case of the Central Division, when flow passing the Border gage gets down to 350 second-feet. Then a water emergency exists; and distribution then is by allocation to each section. We do not erase the State lines, nor do we set up a priority schedule. Wyoming is entitled to 43%; Idaho is entitled to 57%. We don't concern ourselves with the Idaho 57%; we concern ourselves that Wyoming does not divert more than 43%. The total divertible flow is defined as the total diversions in the Division, plus whatever water is leaving the Division. In this case, it would be total diversions in Idaho, and total diversions in Wyoming, plus the diversion into the Rainbow Canal, plus the flow passing Stewart Dam. And then we take 43% of that, and this is Wyoming's share.

MR. DUNN: Okay. My only concern was that by storing the water, this 43%-57% would not be provided.

CHAIRMAN JIBSON: It certainly would do as you say if by storing, we were preventing flows passing to the Central Division that would ordinarily pass. But this is my point. Other dry years we have had no flow pass - even without storage. In 1961 Woodruff Reservoir was being built, and Sulphur Creek Reservoir was spilling. Irrespective of storage in 1961, we did not have water coming into the Central Division (during the irrigation season), nor does the Compact require it. If it were not coming in then, I would think that this year only the return flow that would come in from the fields in that ten-mile stretch above Cokeville would be accumulating to the River flow. And as I said, that shouldn't change too much, except that they would be irrigating with less.

MR. LAWRENCE: You mentioned Pixley. What other reservoirs are involved here?

CHAIRMAN JIBSON: Woodruff Narrows, Woodruff Creek, Sulphur Creek, Whitney Reservoir. These are your large ones. Then we have a number of small reservoirs.

MR. LAWRENCE: You are saying that it affects all of them?

CHAIRMAN JIBSON: Because only one small reservoir is located below the Upper Division (Wyoming). I'm not recommending that we necessarily keep the water in storage, but I think through the Commissioners here representing those groups should make the decision.

MR. PEART: Mr. Chairman - Wally, you said before that possibly you would shut us off today. Aren't we allowed to store until the first of May? What does the Compact say?

CHAIRMAN JIBSON: It says - let's read it. Page 7, under Article V.

> "Additional rights are hereby granted to store in any water year above Stewart Dam, 35,500 acre-feet of Bear River water

and no more for use in Utah and Wyoming; and to store in any water year in Idaho or Wyoming on Thomas Fork 1,000 acre-feet of water for use in Idaho. Such additional storage rights shall be subordinate to, and shall not be exercised when the effect thereof will be to impair or interfere with (1) existing direct flow rights for consumptive use in any river division and (2) existing storage rights above Stewart Dam, but shall not be subordinate to any right to store water in Bear Lake or elsewhere below Stewart Dam."

Nor you see, that does not tie it to dates at all. It ties it to whether or not existing direct-flow rights for consumptive use are being impaired. So, going strictly by the Compact, I'm assuming - and I'm sure it's true - that Idaho is not able to divert its full right today in the section below Border.

MR. STOKER: Last Friday we split up what little bit was there, and it was about 26 percent of the right. That is the 1877 right; nothing above 1877 has water.

CHAIRMAN JIBSON: If we look at Whitney - even in a dry year like this, the snowmelt hasn't begun up there yet. So Whitney Reservoir is sitting there now picking up one or two second-feet. It is still about as low as it was last fall. If you shut that off now, and the natural flow has to go through, from here on you would have to have a man physically at Whitney day in and day out, from now till the 1st of June regulating the outlet to let the natural flow through.

Woodruff Narrows at the lower end is in a little different position. They could handle it physically a little easier. Sulphur Creek likewise you would have to have a man regulating constantly.

MR. DUNN: Then the problem of not getting the water past a point, then, isn't that the water is not available. It is an administrative problem of trying to prevent someone from taking it before it gets there?

CHAIRMAN JIBSON: No, it is not administrative. Let's say that we did not have any reservoirs in the Upper Division. Today, there would be no water passing Pixley Dam because the Compact does not require it, and they are diverting everything available above Pixley. I don't think it's an administrative problem; I think it's a physical thing. They are allowed to divert the total in the Division, even though they have it allocated to State sections in the Division. They are allowed to divert all of the water that they can divert. So, I don't think it would matter whether or not we had reservoirs. So, I see no real difference in whether we are diverting, or whether we are holding in in storage for two or three weeks to get a little more efficient application.

MR. LAWRENCE: Does this mean, Wally, that there has to be local bargaining between two or three canal companies to whether you store or not?

CHAIRMAN JIBSON: I think there is some local bargaining; but I think that probably the main bargaining is between Wyoming and Rich County, Utah. For instance, take Sulphur Creek Reservoir - Rich County could demand that Sulphur Creek Reservoir cease storing today and let the water come on down; but in so doing they would have to let water through Woodruff Narrows to satisfy direct-flow rights in Utah. Or they (Rich County) might say they would sooner have it now than store it in Woodruff; then that becomes a local problem in Woodruff Narrows Reservoir Company. So, it can be both a local problem and possibly an interstate question that should be resolved; and in this instance, between Wyoming and Utah.

MR. LAWRENCE: Where then - what does this Commission have to do today?

CHAIRMAN JIBSON: I don't know as we should, today, try to sit down as a group and decide what we should do or not.

MR. LAWRENCE: You mean, it's not a Commission matter?

CHAIRMAN JIBSON: It's the members of the Commission who are representing the areas of Utah and Wyoming in the Upper Division. As a Commission matter, we should not preclude Idaho and that part of Wyoming in the Central Division from voicing their opinion. I think that is the power that the Commission has. I would think that the Commission today should as a group say 'we concur with you' or 'we don't concur with you'. If you do concur, then I think the group of Commissioners representing the Upper Division could sit down, possibly today or not too far down the road, and decide on this.

MR. LAWRENCE: Well, my concern was that if this body sitting around this table today is required to take an action, or express an opinion or something - or is it solely out of our hands anyway, and entirely a problem related to Gordon and Wes, or someone.

CHAIRMAN JIBSON: I think it's a practical application of a provision of the Compact.

MR. STOKER: I think, Wally, the Commissioners in Idaho, in lower Utah, can see that there's no water going through Pixley; there will be no water going through Pixley this year; therefore, they are not involved in it. Let the boys, as you said, up above sit around and decide if they want storage or not. We are just not involved in it - that's all there is to it. We are not precluding the Commission, because the Compact says that everybody is involved in it - but let's admit a fact that on a dry year like this, let's just settle it this way and let the issue be finished.

CHAIRMAN JIBSON: The Wyoming Commissioner mentioned; Marv Bollschweiler has a right, in this year or in any year, when the River reaches a certain point, to say, "I cannot deliver any water from the upper part of the River to the lower part of the River in my area from a practical standpoint. Therefore, I will not try to

follow priorities through his section of the River." And in a sense, this is what we are doing. We are looking at a practical application of a Compact provision.

MR. PEART: Mr. Chairman - if one irrigator down below that reservoir decided he wanted his natural flow water, wouldn't we be obligated to furnish him that water now - regardless of whether we decided to keep storing a little longer, or otherwise?

CHAIRMAN JIBSON: You mean under the terms of the Compact?

MR. PEART: Well, any way you went about it. State water rights, or what.

CHAIRMAN JIBSON: This has always been a problem, Gordon, under your reservoir company bylaws. I know at times users have disagreed as to when to store, and when to release; but if you are referring to the Compact - well, Ed, let's get back to the legal aspects - do you think this Commission has authority over an individual user?

MR. SKEEN: No, I don't think the Commission does. I think as Gordon puts the question, a man on the lower River, below Woodruff Narrows, for example, who has a vested direct-flow right is entitled to have the water come down if he can consumptively use it, and beneficially use it. In other words, his vested direct-flow right is not subject to any limitation in the Compact - by the very words of the Compact. This storage upstream, and storage anywhere, is subject to any prior direct-flow rights. I think we may be getting a little afield, if we do any more than just talk about practicality and policy

MR. TEICHERT: There's probably someone else who could make a call on that water, and you've done away with your storage right.

MR. LAWRENCE: Okay, now, specifically who are we talking about when we talk about the Commissioners that have this responsibility?

CHAIRMAN JIBSON: Well, Gordon, of course, represents that area up there; and I think yourself.

MR. LAWRENCE: You are talking about Bear River Commissioners and not commissioners that are working for the State Engineers?

CHAIRMAN JIBSON: Yes; Bear River Commissioners. You and Gordon; George and Wes.

MR. LAWRENCE: I thought Ed was just talking about a different kind of a commissioner?

MR. SKEEN: I'm talking about water commissioners. They have charge of the distribution of water under the direct-flow rights; and where the Compact provision is subject to direct-flow rights, I think the responsibility is on the local water commissioners. I don't think the Commissioners, acting under this body, would have any authority to determine what direct-flow rights should be distributed. That

is a matter for the local water commissioner on the River, appointed by the State Engineer.

CHAIRMAN JIBSON: Do you think, Ed, in view of this, that we should not in this Commission today determine a practical application under this provision of the Compact?

MR. SKEEN: Well, I was very careful to put in my statement that if we can reach some practical solution and establish policy as a matter or orderly distribution that the people up there would follow, it might be a very good thing; but legally I don't think action by this Board could bind some direct-flow user. So it may be a 'loves labor lost'.

MR. MYERS: I would like to ask one question. I notice Ed said that this appropriator must put the water to beneficial use. Who says - the water master, or who is it - that says whether he has put it to beneficial use or not? In other words, if he demands this water while the ground is still frozen, then maybe he isn't putting it to beneficial use. Who makes the decision?

MR. SKEEN: Well, ordinarily the local water commissioner would make that, and it would be subject to review by the court. By court action. And by that time, it's over.

CHAIRMAN JIBSON: I don't think anyone wants to get himself out on a limb, and do something illegally - but, certainly, from a practical matter, and to make the best use of what water we have available, someone ought to make a decision.

MR. SKEEN: Wally, don't misunderstand me. I think your solution is a very practical and sound solution, and it ought to be practiced and done. But legally, I don't think we could store water as much as we'd want to, adverse to a vested direct-flow right, protected by State law. I, personally, would like to see it stored, of course. And I think most others would.

CHAIRMAN JIBSON: What would be your suggestion, then, of how we should proceed from this point?

MR. SKEEN: If the Commission would want to act on a Motion from the standpoint of practicality and policy, I would say it would be a very good thing to do.

MR. LAWRENCE: Make a recommendation to someone? And who would that be?

MR. SKEEN: It could be in the form of a recommendation, based on the knowledge of the shortage of water, and the practical effects of turning it loose. But I don't think anything we do, applying to John Jones down the River who has a vested right, can be done legally.

CHAIRMAN JIBSON: Our Motion, then, would be to make a recommenda-

tion rather than establish a policy.

MR. SKEEN: Yes.

MR. DAYTON: I have a question here. That policy wouldn't be binding, if a man with prior rights demands his water?

MR. CHRISTOPULOS: I think what we are really talking about is maybe a Commission action which establishes a sense of what the Commission suggestes as a course of action.

MR. SKEEN: It isn't binding; it's a conservation measure, urging people to save water.

MR. FUNK: It is a resolution, is all it is. There are a couple of elements here that enter in. When is the water put to beneficial use? And that's a judgemental thing; and how realistic is it that someone now, in the next few days, is going to demand direct flow to put on their land now? It seems that all you can do is make a suggestion, here, that would be the opinion of the Commission.

MR. ROBERTS: That thing is already being done right now in Franklin County, off Cottonwood.

CHAIRMAN JIBSON: We should keep in mind that anyone demanding direct-flow rights would be, in Woodruff Narrows, someone that was a stockholder in a reservoir company. Because if anyone in Cokeville or someone in Idaho demanded it, he couldn't have it anyway, because the upper direct-flow rights would take it without violating terms of the Compact.

MR. OLSON: What are you going to supply to the user? Just a percentage from the record? It won't be a full water right if he has a water right for 3 second-feet, or 5. It would be 50%, or 40%, or whatever it is; that's all you would deliver to him anyway, wouldn't you?

CHAIRMAN JIBSON: It would just be a matter of getting his "10%" now - or three weeks from now - or whenever.

MR. OLSEN: Right; it would be a percentage of each priority.

MR. PEART: Mr. Chairman, I think regardless of what the Commission does or says, this thing is going to be done in the local areas and groups. Right now, we're storing water. Directly above us, they are diverting water. And there is nothing we can do about that. Yet, it's water that we could store if they weren't diverting. And this is going to be done within groups, ourselves - regardless of what the Commission does or says here.

CHAIRMAN JIBSON: That's true, Gordon, but would you suggest we go on record as recommending this kind of operation?

MR. PEART: Yes; I'd go along with that. I'd say store water until

the 10th of May. In Woodruff Narrows, anyway.

MR. LAWRENCE: Well, I don't like to belabor this, but I'm really confused as to our jurisdiction. Recommending it, for what purpose? So that the people who are under your control - under Dee Hansen's control - and the Wyoming State Engineer's control have a basis of an attitude of this Commission - or is it because we actually have jurisdiction?

MR. SKEEN: I don't think, as far as jurisdiction, Dan, that we do have any control of the situation. For reasons that I've expressed. The most we can do is to state a policy or make a recommendation, and urge that people make the most of the little water we have, and conserve it by storing it where it appears to be the practical thing to do.

MR. LAWRENCE: And that would be the only reason or basis of us doing anything is that we are trying to think of ways to conserve water, and this is one way it could be done?

MR. SKEEN: That is what it seems to me. I am very much in favor of Wally's approach, and I feel it ought to be stored - but we have no jurisdiction.

CHAIRMAN JIBSON: Probably our direct concern is that this Compact Commission was established to administer the Bear River Compact. And we are suggesting a deviation from a provision of the Compact; and it would seem to me that in this respect it is a concern of this Commission.

MR. TEICHERT: Wally, is Deseret Land and Livestock reservoir filled?

CHAIRMAN JIBSON: I don't know. I've had that question asked. I haven't been in there lately.

MR. BOLLSCHWEILER: They are storing. They asked permission a month ago. They called me and asked if I had any objections to opening up the canal and start storing, and I told them I had no objections.

CHAIRMAN JIBSON: This is in Neponset Reservoir. Deseret Land and Livestock gets their water through the Chapman Canal, from Wyoming and used in Utah.

MR. BOLLSCHWEILER: I was across there just last Friday, and I would estimate about 30 second-feet going down the canal now.

CHAIRMAN JIBSON: Our boys measured 16 cfs when they were there.

MR. TEICHERT: Mr. Chairman, you mentioned before that the Commission was formed to administer the Compact, and this Motion for review is somewhat a deviation of the Compact. In light of the negotiations that have gone on to try to get the Compact amended, I think you would want to think very seriously about making a recommendation for something that is not in accordance with the Compact,

and then trying to approach the people and convince them that we need to make a change. I think there would be an opportunity for people to have a little more distrust.

MR. FUNK: Can I discuss a different question? Is this one concluded now?

CHAIRMAN JIBSON: Well, I don't think it's concluded - but if you want to discuss something we might do that. We may want to come back and -

MR. LAWRENCE: Maybe if we call for a Motion and didn't get any, it could conclude pretty fast.

CHAIRMAN JIBSON: I sort of have direct responsibility that this Commission has given me in keeping the Commission informed of what's going on. If we do not make a Motion, and we do not in any way want to recommend that we change the procedure; then, the only thing that I could do is go home and call the water commissioners and say that after today there is no more storage allowed upstream.

MR. BOLLSCHWEILER: Wally, may I make a statement? If, say in the Upper Division, if the people in Rich County and the people in Upper Wyoming, and Lower Wyoming come to an agreement - although it isn't according to the laws of the Compact - if Lower Utah wants to waive some of their rights for better practical use, and we want to do the same, would that hurt at all? I mean, if they are agreeing to it - and they want it themselves?

CHAIRMAN JIBSON: Practically - no. But the Compact doesn't confine it to Utah and Wyoming; it is to any River division. This is our whole point. From a practical point it wouldn't make any difference; but the Compact states otherwise.

MR. SKEEN: Of course if the direct-flow water wouldn't go into another State anyway, as you stated, it seems to me that surely the two upper States could arrive at any practical solution they wanted to without running afowl of the Compact in any way.

CHAIRMAN JIBSON: This would be my opinion.

MR. BOLLSCHWEILER: Well, I think it is a lot more practical to store it in the reservoir now than divert it onto ground that, although it is pretty hard now in Lower Utah, their ground isn't frozen to a point where you couldn't say it is not putting it to beneficial use - but it isn't going to do the ground near as much good as it would a month from now.

CHAIRMAN JIBSON: Well, I think this was Gordon's point a few minutes ago.

MR. PEART: Leave it until the 10th of May anyway.

MR. BOLLSCHWEILER: If someone calls for it that has a direct-flow

right, let him have it; and then he will have to take his loss on the storage when it comes.

MR. PEART: Yes; but you can't give it to just one man - turn water out of that reservoir for one irrigator.

MR. LAWRENCE: Well, aren't these people all stockholders in an irrigation company? And isn't that an internal matter with the Company?

MR. PEART: You bet; that's what I said.

MR. SKEEN: It is entirely an internal matter.

MR. JENKINS: I'm wondering if we're not trampling out into an uncharted area, when we start making suggestions and pronouncements that aren't fully covered in our - let's call it 'chartering authority'. Maybe we'd better just - most of the people involved, or many of the people involved, are sitting here; they have heard the feelings expressed. Let the record stand right there, without any specific action on the part of the Commission, one way or the other.

CHAIRMAN JIBSON: This would be true, the statement that the local groups could make these decisions themselves, and there would be no Motion or resolution made in this meeting.

If we concur in this, let's go that way and not call for a Motion or resolution from this group.

Do we have any other discussion on the Assistant Secretary's report?

MR. FUNK: Yes; if you'll turn please to the hydrograph on page 4 of your report - which illustrates the allocation above the irrigation reserve - the disposition of which I guess, is solely the right and at the discretionary pleasure of Utah Power & Light. Many users in Cache Valley are concerned about their recent rights that were protested by Utah Power and are conditioned upon Cutler's filings. There are many irrigation rights, as well as some culinary rights, - wells that have been drilled, and recent spring applications that have been made. Now, I guess my question is - is it entirely discretionary on the part of Utah Power when they make those releases from Bear Lake that are above the irrigation reserve? For example, the 150,000 acre-feet that was put down the River last winter very definitely threatened many recent rights in Cache valley; and partial use was made of the water to generate some electricity - which they previously testified was not a peak season for them. But if these releases were made during the irrigating season, even not in a stress period such as we're in now, it would benefit many of the, particularly, irrigation rights in Cache valley. Those that experience difficulty in getting the water to their pumps because of low channel flows. I guess a bearing on that is, how far ahead do you make your projections of the hydrograph of Bear Lake? Are your figures of any use to them in making this decision as to the

timing of those releases?

CHAIRMAN JIBSON: In this year, and part of last year, I think it was rather obvious to most of us by mid-December, or the first of January, that the prospects were for a below-average year. The releases for October, November, December - that three-month period - were pretty much the pattern of other years. I don't believe any of us in October or November, or the early part of December can say what kind of water year we are going to have. We have had too many extremely dry months during that period, when it turns out above average by the first of May. I personally wouldn't be critical of that type of operation in those months. I'm speaking purely from the standpoint of keeping Bear Lake up, without any suggestion that Utah Power may not have needed the power at that time. Following about the middle of December or the first of January, we knew that the picture would be bleak.

Now, in regard to the other question that you raise - the River is administered under State law, subject to the provisions of the Compact. The provision of the Compact that applies here is that whenever Bear Lake is above the irrigation reserve, water can be released for power or for other beneficial use. When it's below the irrigation reserve, water can be released only for irrigation, except in emergency, but may be used for power as it is being conveyed down the River for irrigation use.

Now, this is the extent of the Compact provision regulation on State law. The rest, I think, is a matter of State law.

MR. FUNK: Well, in view of the recent enhancement in recent years, of irrigation rights along that River, depending on the timing of some of those releases, would it be advisable to have some of the irrigators in on that decision as to when those releases are made?

CHAIRMAN JIBSON: I think this is the suggestion that has been made locally up around Logan. Today - I know we have taken a lot of our meeting - but we would like to hear from the Power Company as to changes in operation they might contemplate in this kind of decision, and other comments that they might have regarding the proposed amendments to the Compact. So perhaps we could delay further discussion of the points you make until we get a response.

MR. FUNK: Fine.

CHAIRMAN JIBSON: For the benefit of other members of the Commission who were not in on the last informal meeting we had, I might report that following the Commission meeting in February, a small discussion group met very informally in Salt Lake City to consider what alternatives were open for further negotiation of the Compact amendments. Keith Higginson was with us; and I assume that he has reviewed that discussion with Steve, and possibly with you, Ken. As I recall, he was the only one from Idaho there.

But I wonder at this time if the delegates from the States who

did participate in that meeting would like to mention any points that would be pertinent that were brought out in the discussion - in the way of introduction to further discussion and consideration today by the Commission in the directions we are going in our negotiations or amendments. And, I thought it would be a good idea, following the comments from the States regarding that meeting, to ask the Power Company to make a statement on your proposed operation this year. Perhaps, even though it is not our business, except indirectly, to know if you have farmer advisor groups up there to help you. But it would be of interest to this Commission to hear any comments you may have as to further negotiation, even though negotiations stopped in February.

MR. JENKINS: Mr. Chairman, I'm wondering if we might speculate for a minute, in view of the hour of about 12:30 - that we might think in terms of the timing of how much time we are going to allocate some of this, and kind of plot our lunch time in here also.

CHAIRMAN JIBSON: What is your pleasure? I think we have this room reserved only for half a day, don't we Connie?

MRS. BORROWMAN: Well, we did; but I don't think it's a problem.

MR. LAWRENCE: I think maybe Grif is looking at his clock and figured that we have taken two hours for 30 minutes of business that, if we had programmed it before the meeting started - are you suggesting that on that same kind of comparison we have two more hours of meeting?

MR. JENKINS: The possibility exists.

MR. FUNK: What are the plane schedules home?

CHAIRMAN JIBSON: Some of them are staying over.

MR. JENKINS: Mr. Chairman, I move you that we take a break of an hour for lunch, now, and then reconvene at 1:30 to carry on our deliberations.

MR. LAWRENCE: Second that Motion.

CHAIRMAN JIBSON: It has been moved and seconded that we take an hour for lunch, and reconvene at 1:30. Those in favor?

MOTION CARRIED

L U N C H B R E A K

CHAIRMAN JIBSON: Gentlemen, we will reconvene our meeting.

Partly by way of apology, and partly by way of justification, for taking more time than some of you thought we should have taken on Compact administration; I would like to remind the group that I'm the one that's on the spot when I get back to Logan. I have to give answers. I don't have to make decisions, but I have to give answers to the commissioners on the River; and this is going to be one of the first questions to come up - how long can we store? when can we store? and this and that and the other. So, I have to have direction from this group. I'm pretty well convinced, now, that I have the direction that I need, as far as the Commission is concerned.

MR. LAWRENCE: And you are doing this as an employee of the Commission when you give those answers; is that right?

CHAIRMAN JIBSON: I have to; yes.

I mentioned just before lunch the informal meeting that we had in Salt Lake and I think at this point we would like the States to review for you any pertinent points that came up there, which way they think we should be going now toward further negotiation on the amendments. George, could we start with you? Any comments you might have concerning that meeting in Salt Lake? This is the one that we held at Hotel Utah. We discussed a few points pertaining to our activities for future negotiation. We thought we might change our concept of the proposal for the Lower Division.

MR. CHRISTOPULOS: You are going to have to prime me a little bit. I'm having some difficulty recalling -

MR. LAWRENCE: Was he here? Well, we surely had a nice lunch.

(Laughter)

On the 17th of February, Mr. Christopulos made a Motion "that we table consideration of the Compact at this time, but that the Commission and negotiating team continue to work on it and see if we can't come up with an acceptable Compact by the next legislative sessions". And that was seconded by Idaho, and passed.

The general concensus was that we ought to try and keep this thing alive. It was my feeling that maybe a very small group ought to see if there was anything salvageable. It surely was no secret in my office that I was just absolutely devastated, and thoroughly disillusioned that we could come so close, after years of effort and I thought virtually unanimous feeling among the three States as to how we could solve some very critical problems in administration of Bear River waters, that one matter that we were not oblivious to - we were very well aware of the fact that Utah Power & Light Company has a non-consumptive use to generate power in various places in the Bear River system. We were fully aware of the fact that if you subtracted the non-consumptive uses from

the water available for allocation, there was nothing to talk about; nothing to negotiate; and we might as well all have stayed home seven years ago. We knew that; our Minutes are full of that kind of a recitation, that there was no water to develop if you take out the non-consumptive rights. So I don't think it came as any surprise to us that that was the case.

But notwithstanding that fact, it appeared that legislatively a Compact, under the basis that we had it developed, was politically infeasible. So I took the initiative and invited Mr. Higginson to come and bring his lawyer if he'd like, and Mr. Christopulos, and the Chairman of the Commission, and Attorneys for the Commission. We did have lunch, and Keith was there from Idaho - whether he was representing the Commission, but he was certainly there to do whatever he could; George was there with a representative of Utah's Attorney General; and Wally; and Ed. We didn't keep any Minutes or have any formality to the meeting; we were just brainstorming to see if there was any way that we could keep this thing alive - or is it a legal matter? Is it just simply a question of scrapping our effort, and each State going ahead and developing if we had no political basis?

I remember my version of Wyoming's view was that we certainly ought to try and maintain the solidarity of the States that we had - which I think has been very real. It seemed to me that we also felt that maybe the legal position needed to be researched some. It might be that Mr. Skeen would remember more of the detail of what we felt we ought to do; but, certainly, before we conclude I have asked the Power Company to respond today and see if they have any suggestions to us as to how we might proceed. I guess that's what I came to hear - to see if there is any basis that we ought to have any negotiating meetings of this Commission. I think for all intents and purposes the negotiating committee have completed their work and kind of turned the thing back to the Commission. I don't consider that we have a negotiating team anymore, in Utah, unless we decide that there's something for them to do.

Maybe that's for starters; and I might think of something in rebuttal, Mr. Chairman, after we get going.

CHAIRMAN JIBSON: Mr. Dunn - did Keith or Steve leave any thoughts with you on this last get-together, that you might pass on to us?

MR. DUNN: Yes; generally the feeling is that we should continue to meet -- the Commission should, anyway - and see if something can be salvaged out of this. We felt, as Mr. Lawrence said, that after the years of time put into this thing, it was a major setback - but we think there are good possibilities for some salvage.

CHAIRMAN JIBSON: Ed reminded me that George gave a very nice summary of that meeting before we broke up that day.

MR. CHRISTOPULOS: I remember the chicken now.

(Laughter)

I think what we ought to do is probably what has been indicated already by Utah and Idaho - to continue to function, to keep this alive so that we can see where we can go and what we might come up with. Then I think we need to do a little research on our legal position. Wyoming certainly intends to pursue that and gain more understanding.

I think maybe the most important thing, and the most pertinent thing, is to continue - by whatever method - whether we keep the negotiating teams, or whatever, to keep this thing moving and see if we can't come to some conclusions which would be acceptable politically.

CHAIRMAN JIBSON: Ed, do you or Roland have anything to add?

MR. SKEEN: I think it has been very well stated. Dan either has an excellent memory, or he made good notes; he covered it very well. The only thing that I recall as to the legal questions, is that we decided to research further the matter of the binding effects of Utah Power & Light Company water rights on the various States; and that's a subject I'm sure there may be differences of opinion on, and I'd like to suggest that perhaps a legal representative of each State meet with Utah Power & Light Company attorneys and discuss first the object of the research, and the subject, and then compare notes from time to time and try to reach some solution. When we get into interstate water rights, we get into a lot of 'no man's land', I'll tell you that. The Supreme Court has acted on a number of cases that bear on the subject we have in mind, but every case is a little different - and I think it is a subject that should be researched in some detail and perhaps after that research the mini-committee could meet and go over some of the other aspects involved.

CHAIRMAN JIBSON: Roland, do you have anything to add?

MR. ROBISON: I don't think so, Wally. As has been stated, we would be happy to participate in any research requirements or participate in any preparations that may go on.

CHAIRMAN JIBSON: At this time, we would like to hear from the Power Company. We would be interested in knowing what your plans are for operation that might be different than other years, in view of the lack of water; and then, any further thinking that you may have done since our February meeting of the Commission, in ways of resolving the Compact concerns.

MR. HOOPER: While this subject is fresh with regards to amending the Compact, I think it might be well to make one to two comments on it. I appreciate the background that we have just heard relating to it.

Utah Power & Light would like to participate in the discussions.

Certainly, if the revision can be salvaged, we would be happy to work with you. Minutes of the last special meeting, that was briefed today, I think well-stated our position. We have just reviewed that position, and we feel that we can stand with that and work with you, if that is beneficial in moving ahead in salvaging the work that has gone on. We would be glad to sit with you in a meeting. Our legal people would be very pleased to research any of the matters related to the facts here. We have definite position on it, as you have heard many times in meeting, and we would be glad to participate in that. It would be well to further explore what can be done in the Compact. We will be very happy to assist in doing that.

CHAIRMAN JIBSON: One of the things that was mentioned at that meeting was the possibility that the proposed amendment of the Compact above Bear Lake with regard to storage - although it is not settled - we have had the compromise offer by the Power Company in recognizing the basic proposed allocation up there. One of the things that was tossed out was the possibility of going ahead with that part of the proposal above Bear Lake, and concentrate perhaps on a variation of the proposal in the Lower Division. Several things were tossed out; one was the possibility that maybe we get away from an actual acre-foot division between Utah and Idaho, and try to leave, so far as possible, the situation on the lower River that we have today - which might require some modification of one Article in the Compact that pertains to setting up priority schedules between Idaho and Utah water users in years such as this.

We have read in the paper lately that opponents of the Central Utah Project say repeatedly that we ought to be looking at alternatives relative to the use of groundwater, and also they mention Bear River water. Well, I am sure transfer of Bear River water to this area might become physically feasible. We have to consider the fact that if such were done today, under the present Compact, that Idaho could be in rather a precarious position in years to come, unless changes were made in the Compact, or unless we did have an acre-foot division. We need to consider some of those things.

Jay, or Jim, do you have any comments on the operation of the River system that we might take up at this time?

MR. HOOPER: Well, if you'd like current operation on it, this would be a good opportunity to discuss it.

MR. LAWRENCE: I'd like the opportunity, after they get through, maybe to come back to this a little bit.

MR. HAIGHT: We don't anticipate any change. Maybe to explain how we operate the River - try to keep the River filled sufficiently to insure the delivery of water down to the Utah-Idaho Sugar Company canals that take out of Cutler Reservoir. The only place that the River is actually distributed is up in Idaho, where Mr. Stoker takes care of the distribution of the water. Down in the Utah area, we

just attempt to keep the River running. We don't anticipate changing any of our power plant operations - that would be the Oneida and Soda-Grace plants, especially. To get the full efficiency out of these plants we have to peak the water out at certain hours of the day, and then shut it down to minimum flow at other hours. We realize that this has caused some problem of pumping the water out at times; but we feel like the quantity of water is still in the River that is necessary to maintain the diversion rights of the pumps. So we will be pumping the Lake to supply all of the needs, as we have done in the past.

There are two limitations on our ability to deliver water, however; the first one is the capacity of the outlet canal, and the Bear River channel itself, up in the Montpelier valley. As you know, we have faced lawsuits by people complaining about water getting out on the land in this area.

CHAIRMAN JIBSON: Jay, what do you assume today is maximum capacity of Bear River Outlet Canal?

MR. HAIGHT: 1300 second-feet, we find, causes no flooding. It depends on conditions; it depends on the inflow from small tributary streams such as St. Charles Creek, and these others, that cause some of the flooding. So we will just watch it. We have a capacity in the plant itself of pumping maybe 2,000 second-feet; we've never done that. That is the five pumps at Lifton - but the canal itself can't handle that much water. Whatever we put in the canal will be from 1,300 second-feet, and we'll watch it to make sure. We don't want to limit anybody. Now, in 1961, there was no limitations because of this capacity.

And then the other limitation, of course, is the Lake itself. When Lifton was originally installed, the channel was dredged from the pumping plant out into the Lake nearly a mile in distance. This channel was built up with sand, so when you get down to an elevation of about 5912, you are running into this sand bar. But we are already preparing to have dredges; we are having them for other operations within our Company for dredging out some of the settling basins. So if we face this condition in the fall we will be able to do something about keeping this channel clear.

But we do plan to meet all the commitments for irrigation water, that we have ever made. We have a provision, as you will note - Cal has mentioned - above the irrigation reserve it is our prerogative; but if you'll look at our record, we have never drawn water out for power during the summer since those early years before 1934. It has always been our practice to maintain the flow in the River for irrigation during the summers. We can't say what's going to happen in the future; but based on our past operation, that is our plan.

CHAIRMAN JIBSON: Keith asked me a question when we were together - how we would operate if we had to fall back on setting up priorities in the two states in the Lower Division. Especially due to

the fact that Idaho is not adjudicated. Utah is adjudicated, even though it hasn't been court decreed.

Perhaps I'm being a little optimistic, but it was always my feeling, in a dry year - your demand by the Cutler Canals would come early, and though maybe this isn't the way to solve some of the pumping problems when they are supposed to be pumping natural flow rather than storage water - I think with an earlier demand and an earlier release from Bear Lake, that this problem that we do experience with pumpers who complain about the low River at this time of year. Maybe that problem will be taken care of easier than it is in an average year.

Keith's answer to that statement was that it shows a greater and greater dependence on Bear Lake waters - which is true. We know that for some of those rights you are not obligated to furnish Bear Lake water. But nevertheless, they pump the water, and they don't care whether it's natural flow or storage water. As I mentioned earlier, they are taking water out at Cutler Dam now in the West Side canal, and it's natural flow water.

With regard to this other statement, Dan, do you have a comment?

MR. LAWRENCE: Well, I think Cal asked a question this morning - and I didn't think you answered part of his question; but I'll ask one that's related. Jay, in your anticipating the operation, have you drawn a potential hydrograph of the levels of Bear Lake through the irrigation season? What does that look like?

MR. HAIGHT: Well, as I've mentioned once before, it could go down as much as six feet. We are now at 5918.4. We feel that we are going to be definitely below the irrigation reserve sometime this summer - but it depends on the summer, the demand, the rainfall; but I see that that could possibly happen. Now that would be a more extreme drawdown than we have ever had before. But I'm just saying that we look at the maximum that could happen; we are doing this in our whole operation. That would be the most we would anticipate. I think at least 4 feet drawdown is very much to be expected. Evaporation is known to take it from 2 to 3 feet, off the top of the Lake. We have no inflow whatsoever now; we don't anticipate any, really. This drawdown of the Lake, as we see it now - as we've operated it - is strictly due to the demands we have for irrigation. We have no plans to pass any water through Cutler plant barring the emergency provision we have in the Compact, but that would take a real decision. Our intent is just to see the irrigation demands met.

MR. LAWRENCE: The other question, Mr. Chairman - based on your forecast of the River flow, do you anticipate that it would be highly likely that Utah, as the lower State, would ask the Commission to declare a state of emergency and call on water rights in Idaho to satisfy Utah rights this year?

CHAIRMAN JIBSON: As I implied - I think this would depend entirely

on how quickly they call for releases from Bear Lake. If they hold off for three or four weeks, it is very likely.

MR. STOKER: What magnitude are these rights - how many second-foot of rights are there in Utah - forgetting Utah-Idaho Sugar canals? Between there and Cutler, what magnitude are these rights if they wish to push on them?

CHAIRMAN JIBSON: The largest right that comes to my mind is the Cub River pumps. That's a 100 second-foot right, and you have been taking care of the supplemental need they have with storage water. But they do have a right for 100 second-feet of natural flow. They, in the past, are the ones who have complained on occasion. And a few of the smaller pump rights below. But I haven't actually summarized a total. (Note: Cub River Pump diverts in Idaho and is included in State Engineers summary as an Idaho right.)

MR. STOKER: Well, if the pumpers and that, if they were going to push for the Compact operation, I just wondered what magnitude they had, and what dates of priority they had. Unless they are talking earlier than 1877, or so, they are rights that would be no good - to push Idaho, anyway.

CHAIRMAN JIBSON: Well, of course you have some rights in Idaho later than that.

MR. STOKER: Well, yes. These pumpers are newer. You talk of the natural flow that would be in Idaho this year below the Lake - some of those rights are around 1877 - 1880, and so; so these pumpers and all, I think are 1950 or 1960, aren't they?

CHAIRMAN JIBSON: Of course we are talking of the Lower Division only. I really don't know. We have the Bird Refuge right for 1,000 second-feet, with a priority of about 1927 (1928). It is a relatively late priority.

MR. STOKER: Well, that's what I thought - there weren't any rights down there of any magnitude that could really declare a state of emergency, because Idaho has those old rights that would take priority over them. They would gain nothing.

CHAIRMAN JIBSON: If it looks like an emergency does exist, I think it will be up to this Commission to get some factual data - and, if what you say is true that there are no prior rights that amount to anything - then it would be determined by a priority schedule. This came up over a year ago in a minor sort of way. One Cub River user talked to Jay (UP&L) about it, and Jay replied in his opinion - he may not speak for the Company - but in his opinion it would be better to release water from Bear Lake because of such a hassle, regardless of UP&L water rights.

MR. STOKER: Speaking of those pumpers, I generally get a call - one, or two, or three a year on those. I'm used to them. I think I know what you are talking about. I don't know why it is; it's only

on occasion generally of a day or two, before there's enough water coming out of Cache Valley through Logan River, to supply Utah-Idaho Sugar rights so they're not pulling a bunch out of the Lake. If we can pull enough out of the Lake to satisfy Last Chance, then there's kind of a gap in there; but generally it only amounts to two or three days that happens, and then the Logan River falls, the Cache valley rivers fall, and we have to start putting storage down there at Bear Lake to take care of it.

CHAIRMAN JIBSON: The problem that has come to me a time or two is that because of the fluctuation caused by Oneida power plant, the trough each day falls below the pumps; even though the daily mean flow is above the pumps. So they can't pump steady under those conditions.

MR. STOKER: I try to set a minimum flow right that will take care of them all along with the amount of water there is going to be. And sometimes it has been a day or two late perhaps before that minimum flow is into effect, and that hurts a little bit - nothing serious.

CHAIRMAN JIBSON: Minimum flow through Oneida might be increased - the night-time flow.

MR. HOOPER: The problem, this year, won't be related to the flow of the River. It might be related to the amount of water we can get out of the Lake, to take care of the additional pumping that will be going on in an extremely dry year. And there will not be adequate water reaching the Cutler Reservoir to take care of the commitments that exist at Cutler.

MR. HAIGHT: That's our only limitation. We got through 1961 with no problems, if I remember correctly. We foresee the same thing happening this year. It looks like we will just have to get into it. The water commissioner pretty well controls all of the flows up in Idaho; we take our orders from him as to how much we put in, in response to the demands. We are certainly going to do that this year.

MR. HOLMGREN: Mr. Chairman - I want to ask Jay, when do you anticipate starting to pump out of Bear Lake?

MR. HAIGHT: As soon as the demand is there.

MR. HOLMGREN: Now - our contract at Cutler calls for May 1.

MR. HAIGHT: Yes; and 150 during the winter. We have told everyone that as far as we are concerned, the irrigation season starts when it starts. We start supplying water when the demand is there.

MR. HOLMGREN: Yes. We are using about 250 or 300 second-feet right now. But that didn't necessitate your starting the pumps.

MR. HAIGHT: We have 700 or 800 second-feet, right now, of natural

flow there. We have to use that up before we start pumping water. But we are committed to supply 20,000 acre-feet to the Cub River pumps. If the water isn't physically in the River - now if they don't set the pumps in the right area to get it out; if they want us to put enough water to get over sand bars and things like that, we don't feel obligated to do something like that - but we do have the obligation to supply this water to them.

MR. HOLMGREN: Now, theoretically, if Logan River, and Cub River, and Blacksmith Fork, and Little Bear should dry up, you wouldn't be able to put enough water down to Cutler.

MR. HAIGHT: And then we'd have to cut back on some of these others. Out first commitment is to the Sugar Company canals. Actually, under the contract, they have the right to come in and take over the operation if we don't supply that water; so we have to make sure that that commitment is met. We have never faced this before - where we have had to curtail anybody. This may be the year. We hope not.

MR. FUNK: Jay, are you offering for sale water in the Grace area, without regard to amount, as a fixed fee? Are you offering water for $10.50 an acre-foot?

MR. HAIGHT: We are negotiating a contract with the Last Chance Canal Company, and they are the ones that distribute it to the users.

MR. FUNK: And that's kind of an open-ended amount?

MR. HAIGHT: 90,000 acre-feet is what they have requested - the amount to the Last Chance Canal Company.

MR. LAWRENCE: That would be Power Company water stored in Bear Lake?

MR. HAIGHT: That's right. That is what we are delivering. Of course, they get their own natural flow water; we don't sell them that.

MR. LAWRENCE: Is that a non-consumptive right, that you are selling for a consumptive use purpose?

MR. HAIGHT: Under the Dietrich Decree, I believe. We have the right to deliver this water for any use - it's really broad.

MR. LAWRENCE: Okay. The second half of my question is - is that the kind of questions that the lawyers would talk about in this interim, or not? I'm still confused as to what we can do. What can we talk about between now and the next Legislatures? What kind of questions will we discuss?

MR. HAIGHT: That should be one of them. This is a matter of water rights, really. Hasn't it been, all along - what is a water right on the River?

CHAIRMAN JIBSON: Tom, do you have anything further to contribute?

MR. FORSGREN: No.

CHAIRMAN JIBSON: Do we have any other comments or suggestions, as to how we should proceed?

MR. JENKINS: Well, this wasn't a question of proceeding - but just of clarification. You foresee, then, no - let me use the word loosely, - curtailment of water rights below Bear Lake then during the season, almost irregardless of what happens with precipitation?

MR. HAIGHT: That's kind of a general - but yes; that's right. There is that possibility; but we plan to operate as we did in 1961. There were no curtailments then, as far as I know.

MR. JENKINS: How do the Bird Refuge rights fit in, with the irrigation rights, now, in a low water year?

MR. HAIGHT: We don't have any commitment to deliver any stored water to the Bird Refuge. There is no water that passes Cutler Dam during a dry year. We have had one occasion where we cut the flow for a couple of days, and made a special release just to freshen up their ponds for about three days; but that was a special thing. We have only done that once. I think that was maybe in 1961.

MR. JENKINS: Their rights are junior, then?

MR. HAIGHT: Oh, yes. Much junior.

MR. FUNK: I have another question for Jay. Are the costs of delivering this water negotiable? In other words, under circumstances you might charge some $10, and some others with nearly the same circumstances, $5?

MR. HAIGHT: We set a precedent this year of charging what the power loss is, based on this water. The cost of power varies from year to year. This year it just happens to be an extremely high cost of power - this power that we produce ourselves and purchase. That is what we tie it to.

MR. MYERS: What is that figure?

MR. HAIGHT: Well, it depends on where you take the water out of the River. For the Last Chance Canal it's $10.82 a day-second-foot (acre-foot?). This is the average energy cost we calculated, representing losing water through the four plants. You only get water at one plant to deliver it to the next one.

MR. DUNN: Mr. Chairman, and Jay - the cost that you are using for power - is that the cost of the generation of power in the Bear River system?

MR. HAIGHT: No. That's replacement power. Power that we have to get from a particular place. We have been doing this. It's just that this replacement power has really gone up in price. Our Bear River system runs 1/10 of what it costs to produce power in a steam plant. Any energy that we lose in the Bear River system, we have to replace it from our system.

MR. DUNN: I appreciate that; but my question is - what did you do last year?

MR. HAIGHT: It was a steam cost replacement - and it cost much lower then. In previous years we were getting power from other sources, such as the Northwest, for very reasonable cost.

MR. GILBERT: Mr. Chairman - Jay, when I was first on the Last Chance several years ago, you folks used to call this a pumping cost; now you call it a power loss?

MR. HAIGHT: Well, we charged you a pumping charge even when you weren't pumping, if you remember. So, it was a lost-power cost, even though we called it a pumping charge.

MR. OLSEN: One other question about Cutler. I notice it is very low today - the lowest I have ever seen it.

MR. HAIGHT: Well, we are waiting for the spring runoff to bring that back up. We are looking around May 1 - if there is anything going to come in, it will all be diverted to Cutler.

MR. OLSEN: I noticed that it is just a stream - no pond.

MR. HAIGHT: That's right. It is very low. This is our method of operation. We always do this every year, to catch as much water as we can. We release it later. We have to raise the reservoir to get the full amount.

MR. HOLMGREN: Jay - just before you go - you don't anticipate Bear Lake rising any more between now and June?

MR. HAIGHT: No; all the water is shut off; nothing is coming in. It is very unusual circumstance. Heavy wet rain sometime might bring it up a little, but the evaporation is going to start taking more than is coming in very soon.

CHAIRMAN JIBSON: Do we have any further discussion, or questions? Particularly questions about power generation?

We ought to have some discussion or direction on our activities - either for the committee or the Commission before our next meeting in November. You will recall in our last meeting it was suggested by Grif, I believe, that a delegate, at least, from each State and myself, continue to meet until we can decide whether we have something that we can get our teeth into, or just let it die at this point. Do you have any further suggestions, or do you want

to continue this type of thing?

MR. MYERS: Who would call the meetings in this case?

CHAIRMAN JIBSON: The Chairman, I guess. As they want them.

MR. LAWRENCE: I guess I took the initiative in the first one. We held that little luncheon.

CHAIRMAN JIBSON: Anyone from the three States who would propose that we get together and talk about something that hadn't been discussed before, or -

MR. HOLMGREN: Mr. Chairman, I recollect that in our meeting in February that Utah Power & Light representatives made one or two propositions to us - adjustments in our plan to amend the Compact, that they could live with. And it seemed that it didn't affect us in the Lower Division to any great extent. It affected Wyoming and upper Utah. I was wondering if you fellows have studied this proposition to some extent to see if there was some way you could make a counter-proposal that would satisfy them - that you could live with, and they could live with?

MR. CHRISTOPULOS: We have given it a little more thought; but we are not ready to modify, or even comment.

CHAIRMAN JIBSON: I suppose the proposal would be accepting the basic allocation, and deleting the flood and spill water storage.

MR. LAWRENCE: Isn't that tied to the legal research?

MR. CHRISTOPULOS: I think it is.

MR. MYERS: I would move that this skeleton committee continue its work at the suggestion of any of the three States, subject to the call of the Chairman; and that they be empowered to enlarge the committee at any time they see fit. If they get to the place they could take steps and enlarge it to a regular negotiating committee, then they do that.

CHAIRMAN JIBSON: Would this include a legal representative from each State meeting with the Power Company and discussing the legal questions?

MR. MYERS: Yes. That is what I meant by enlarging. This could go ahead - just to keep it from dying out.

CHAIRMAN JIBSON: Is there a second?

MR. DAYTON: Second.

MR. JENKINS: The Motion, then, is in effect to keep the mini-committee alive, subject to the request of any State for a meeting. The Chair would call the meeting; and included as a part of this Motion,

the legal authorities would get together and explore this further and see if there is any grounds for further discussions by either the negotiating committee or the Commission?

MR. OLSEN: I think the suggestion of meeting with the Power Company and the three States and dig into the water allocations of the three States and determine what the water rights are is very good. We have been hung up on that for seven years, not knowing just how and what the water rights are.

MR. LAWRENCE: And I guess my greatest frustration is that the only way we can answer Marion's question is by a legal declaratory judgement. Am I right?

MR. SKEEN: I think first we ought to meet and discuss it, and see where we are. I think the first thing is to get a legal committee organized and get to work on it - and not put it off in the future all the time.

MR. OLSEN: This is my point. Move in the direction of resolving something and getting to the nitty-gritty of what we have been hung up on for so long.

CHAIRMAN JIBSON: If this Commission wants to give the mini-committee the power to try to set that up. Would this be satisfactory?

MR. SKEEN: I think we have a Motion that covered that pretty well. It might could be activated.

MR. MYERS: You might spell out in there that that is one of the things you would want to consider in that. That is what I intended when I said, one from each State and from the Power Company - and have the power to expand it as you wish.

MR. OLSEN: I would like to see direction, too.

CHAIRMAN JIBSON: We have that direction in his Motion; but we won't actually establish this sort of committee today.

All in favor? Opposed?

MOTION CARRIED.

CHAIRMAN JIBSON: Any other unfinished business or new business, before we have a Motion to adjourn? Then I think a Motion is in order for adjournment.

MR. CHRISTOPULOS: So move.

MR. JENKINS: Second.

CHAIRMAN JIBSON: All in favor?

MOTION CARRIED. Meeting adjourned at 2:40 p.m.

BEAR RIVER COMMISSION

22 East Center

Logan, Utah

April 20, 1977

Wallace N. Jibson

1977 Water Supply Outlook and Compact Operation

Water Supply Outlook

It will not be news to any of this group to hear that we are facing seasonal water supplies that are forecast to range from those of 1934 on Logan River to amounts at other points in the basin that will fall between those of 1934 and 1961. The Logan River record extends back to 1896 and in that 80-year period only 1931 approached the severity of 1934 with 1961 ranking third. This record is at a measuring point at which the flow essentially has been unaffected by man during the period of record. Flow a short distance below the Wyoming-Idaho State line (Bear River at Harer) is affected by irrigation development above, but in this 64-year period of record we note about the same ranking of dry years with 1977 flow now forecast about midway between 1934 and 1961 and only 10 percent of the 15-year (1958-72) average.

The table below is based on the April 1 SCS forecast and the measured flow at various points in the basin:

Streamflow in Thousands of Acre-Feet

April - July

Stream	Forecast 1000 A.F.	Forecast Percentage of 1958-72	1976 Flow	1934 Flow	1961 Flow
Bear nr Ut-Wy line	45	40%	80	33**	56
Smiths Fork *	35	30%	135	30**	49
Bear at Harer *	30	10%	332	19	43
Cub River *	18	36%	53.5	17**	28
Logan River	40	35%	114	40.5	48
Blacksmith Fork	14	29%	54	13.2	15.6
Little Bear River	6	18%	37	---	8.8

*Period, April-September
**Estimated

Storage

Bear Lake was drawn down about 2.0 feet in the period October 1, 1976 to about February 1, 1977 (see graph on page four.) The Lake has been gaining slowly following the period of release increasing 0.4 foot to an elevation this week of 5,918.48 feet with active content of 1,059,000 acre-feet. Diversion for irrigation above the Lake is taking the meager available supply with only 15 cfs entering the Rainbow Inlet Canal. Irrigation diversion has begun at Cutler Dam where 250 cfs is being diverted into the West Side Canal, but irrigation draft on Bear Lake has not begun.

Woodruff Narrows Reservoir was storing about 9,200 acre-feet (33%) as of April 15 , Woodruff Creek Reservoir an estimated 1,700 acre-feet (42%), and Sulphur Creek Reservoir about 1,900 acre-feet (33%). Whitney Reservoir, though not visited for several months, is extremely low. Snowcover in the Uintas is higher than elsewhere in the basin, but it is unlikely that any of the above reservoirs will fill. (See discussion under "Compact Operation".)

Porcupine Reservoir in the lower basin is now storing about half of total capacity and undoubtedly will not fill this year. Hyrum Reservoir has been full for sometime.

Compact Operation and Administration

The Compact in allocating direct flow in the basin above Bear Lake does not specify a beginning date for a 'water emergency' but bases such emergency on total divertible flow or the river flow at Border (Central Division). We have no reports of significant diversion in the Upper Division but, as mentioned earlier, the meager runoff in the Central Division is being diverted. Local water commissioners have been advised to start record collection prior to the May 1st starting date of other years. Record collection in the Idaho Section of the Central Division always commences on April 15.

A question that will be facing us shortly, if not now, is that of a termination date for diversion to storage in Compact-allocated reservoirs. Again, the Compact does not specify a date but states that additional storage rights shall not be exercised when the effect will be to impair or interfere with existing direct-flow rights for consumptive use in any river division. The Commission has; through members from States affected, exercised a certain amount of judgment in this provision in the one or two years that the restriction was applicable in past operation.

Developed storage under the Compact, with one minor exception, is in the Upper Division. This Division is not required at any time to regulate natural flow for the benefit of a lower division, and quite often during the irrigation season the river channel immediately below Pixley Dam (between Upper and Central Division) is essentially dry.

In a dry year such as 1961 practically no flow passed Pixley Dam out of the division after April 10. We expect the same situation this year; therefore, it would seem pointless to apply the storage provision to any section in the basin that is below the Upper Division. Further, it is our recommendation that the users concerned in the three main sections of the Upper Division, through their representatives on the Commission, decide whether in the next few weeks the water can be most beneficially used as direct flow or diverted into storage for use a little later in the season. Either way, we can see no effect in the Central or Lower Divisions.

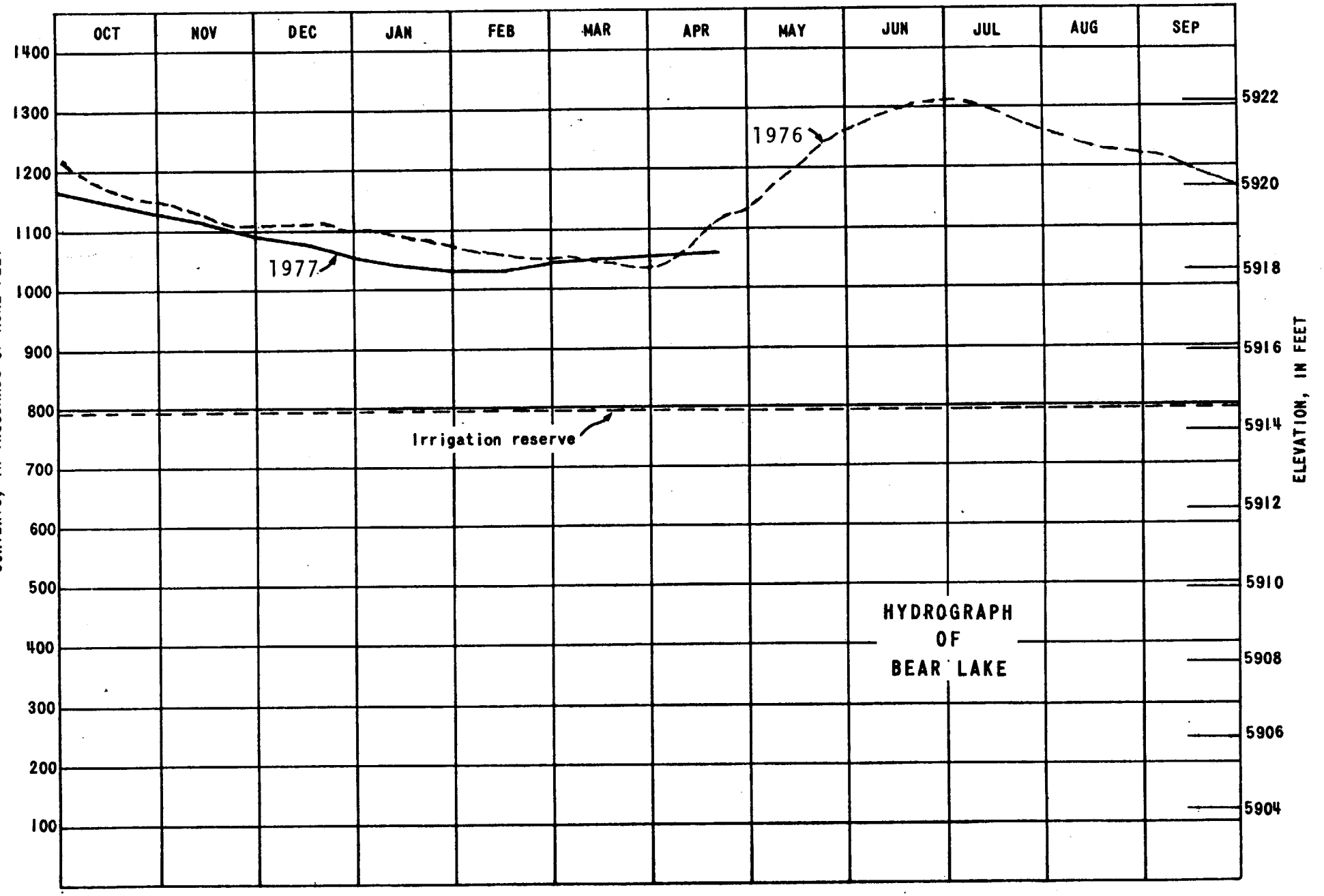
Budget

The approved budget for this fiscal year ending September 30, 1977 will need some revision in direct-expenditure items, such items will not affect the cooperative agreement with the Geological Survey. Additional legal and related costs associated with increased activity of the Commission the past six or seven months will need to be considered. However, it may be desirable to delay action on this revision until the end of the fiscal year because of obligations that may yet be incurred.

The 1978 fiscal year will begin October 1, 1977 — prior to our next scheduled meeting — so a tentative budget has been prepared and is shown on page 5. Again, it is difficult to foresee the amount of additional Commission activity relative to further work on amending the Compact. We have included only a nominal increase in the direct-expenditure items. Also, last year our recommended Federal allocation for this fiscal year was adjusted downward after Commission approval in April. The proposed allocation in the Federal part of the 1978 budget may likewise be modified, so at this time we cannot firm up the estimated requirement. The Budget Committee will have reviewed the 1978 budget.

Applications for Appropriation

Utah applications have not been received as of the time of preparing this report but will be available in one form or another for presentation to the Commission. Wyoming and Idaho summaries are shown on pages 6 and 7. It appears that the two storage rights on Twin Creek in Lincoln County, Wyoming will have to be supplied from the Wyoming unused allocation of Compact storage. (See Article V, Paragraph C.) Some rather large groundwater rights are noted in the Idaho summary for this period.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1977
Irrigation reserve
HYDROGRAPH
OF
BEAR LAKE

BEAR RIVER PROGRAM

DETAIL OF BUDGET

Fiscal Year ending September 30, 1978

April 20, 1977

Detail of Budget	Allocable for Stream Gaging (Coop. Agreement)	Bear River Compact Assistance (Coop. Agreement)	Administ. Allocation (Direct Expend.)	Total Budget
Personal Services	$57,712	$8,788	$ 0	$66,500
Travel & Subsistence	5,500	100	0	5,600
Fiscal & Administ. (SLC)	4,165	538	0	4,703
Washington Office Service	7,380	954	0	8,334
Rental (Office & Storage)	3,245	0	0	3,245
Digital Recorders (Rent & Processing)	2,338	0	0	2,338
Office, Supplies, Misc.	1,660	220	40	1,920
Annual Report	0	0	800	800
Treasurer's Bond & Audit	0	0	300	300
Transcript of Minutes	0	0	200	200
Legal Retainer & Fees	0	0	1,000	1,000
TOTAL	$82,000	$10,600	$2,340	$94,940
Allocation of Budget				
Geological Survey	$41,000	$ 0	$ 0	$41,000
Bear River Commission	41,000	10,600	2,340	53,940
TOTAL	$82,000	$10,600	$2,340	$94,940

Presented to Commission: April 20, 1977

APPLIC NUMBER	DATE OF FILING	NAME	SOURCE	USE	LOCATION	AMOUNT (CFS)	ACT'N
			STATE OF WYOMING				
22 5/122	12-05-75	Feuz Ranch	Feuz Spring	Stk-Mis	TR89T25NR119W Lin.	0.056*	App.
UW107218	04-21-76	M. & R. Long	groundwater	Dom.	S36T21NR116W Lin.	0.028*	App.
UW103394	09-15-76	R. & L. Guild	groundwater	Dom-Stk	S27T15NR120W Uin.	0.056*	App.
UW105394	09-15-76	C. O. Shiflet	groundwater	Dom-Stk	S27T15NR120W Uin.	0.056*	App.
UW11536	11-01-76	Amoco Prod. Co.	groundwater	Ind.	S13T13NR121W Uin.	0.312*	App.
UW11636	11-01-76	Amoco Prod. Co.	groundwater	Ind.	S11T14NR121W Uin.	0.312*	App.
UW1012192	03-01-76	F. & M. Cardin	groundwater	Dom.	S36T21NR116W Lin.	0.056*	App.
22 6/228	11-19-76	Amoco Prod. Co.	Bear River	Ind.	S21T15NR120W Uin.	0.39	App.
22 1/145	01-26-76	A. Feuz	Chalk Creek	Irr.	TR89T25NR119W Lin.	1.28	App.
22 6/229	11-26-76	Amoco Prod. Co.	Bear River	Ind.	S21T15NR120W Uin.	0.39	App.
22 6/232	12-06-76	Amoco Prod. Co.	Bear River	Ind.	S21T15NR120W Uin.	0.39	App.
22 1/250	01-22-77	Cumberland Coal Co	Twin Creek	AntiPol	S7T21NR116W Lin.	45.55AF	Pen.
22 2/250	01-22-77	Cumberland Coal Co	Twin Creek	Stk.	S17T21NR116W Lin.	338 AF	Pen.
22 3/253	01-26-77	Wy. St. Hwy Dept.	Bear River	Ind.	S13T16NR121W Uin.	1.00	App.
UW1012167	03-01-76	G. M. Lofthouse	groundwater	Dom-Stk	S5T12NR119W Uin.	0.056	App.
UW11417	10-06-76	Uinta Co. Sch. Dist 4	groundwater	Dom.	S23T15NR115W Uin.	0.056	App.
UW11252	11-18-76	Bennett, et al	groundwater	Stk-Irr	S6T14NR120W Uin.	9.18	Pen.
UW11352	11-18-76	Bennett, et al	groundwater	Stk-Irr	S6T14NR120W Uin.	1.00	Pen.
UW11452	11-18-76	Bennett, et al	groundwater	Stk-Irr	S6T14NR120W Uin.	1.00	Pen.
UW11454	11-19-76	Amoco Prod. Co.	groundwater	Ind.	S27T15NR119W Uin.	0.39	App.
UW11166	11-26-76	Wy. C.A. 7 D. AD.	groundwater	Misc.	S25T15NR121W Uin.	0.056	App.
UW11466	11-26-76	Amoco Prod. Co.	groundwater	Ind.	S27T15NR119W Uin.	0.335	App.
UW11666	11-26-76	Amoco Prod. Co.	groundwater	Ind.	S23T14NR120W Uin.	0.335	App.
UW11471	12-06-76	Amoco Prod. Co.	groundwater	Ind.	S13T13NR121W Uin.	0.39	App.
UW11988	12-27-76	G. Bell	groundwater	Dom-Stk	S13T16NR121W Uin.	0.056	App.
UW111098	01-18-77	Urroz Ranch	groundwater	Dom-Stk	S36T15NR121W Uin.	0.056	App.
UW111198	01-18-77	Urroz Ranch	groundwater	Dom-Stk	S36T15NR121W Uin.	0.056	App.
UW119122	02-08-77	W. G. Aaron	groundwater	Dom-Stk	S16T15NR120W Uin.	0.056	App.
UW1110123	02-09-77	K. D. Bruce	groundwater	Dom-Stk	S24T16NR121W Uin.	0.056	App.
UW1112135	02-16-77	U. S. B. R.	groundwater	Stk.	S24T22NR117W Lin.	0.045	App.
UW111136	02-16-77	U. S. B. R.	groundwater	Stk.	S19T22NR119W Lin.	0.045	App.
UW117138	02-17-77	L. O. Taylor	groundwater	Misc.	S4T24NR119W Lin.	---	Pen.
UW1110165	03-08-77	City of Evanston	groundwater	Misc.	S23T15NR120 Uin.	0.056	Pen.
UW113166	03-08-77	D.&M. Hettinger	groundwater	Dom.	S5T15NR120W Uin.	0.056	App.
UW111168	03-09-77	E. Sessions	groundwater	Stk.	S11T16NR121W Uin.	0.056	App.
UW112168	03-09-77	E. Sessions	groundwater	Stk.	S11T16NR121W Uin.	0.056	App.
UW11566	11-26-76	Amoco Prod. Co.	groundwater	Ind.	S27T15NR120W Uin.	0.335	App.

Presented to Commission: April 20, 1977

APPLIC NUMBER	DATE OF FILING	NAME	SOURCE	USE	LOCATION		AMOUNT (CFS)	ACT'N
			STATE OF WYOMING	(CONTINUED)				
UW1112188	03-18-77	Jaygee Bros., Inc	groundwater	Misc.	S15T15NR120W	Uin.	0.056	Pen.
	* Previously submitted as "pending"							
			Approved	Pending				
Total Surface Water (Wyoming)			3.45 cfs	---				
Total Ground Water (Wyoming)			3.367 cfs	11.292 cfs				
			STATE OF IDAHO					
11-7099	01-04-74	S. Reed, Inc.	groundwater	Irr.	S7T9SR41E	Carb	3.00	App.
11-7100	01-10-77	T. T. Piggott	groundwater	Irr.	S3T15SR43E	B.L.	3.20	Pen.
11-7101	02-10-77	D. V. Kirby	groundwater	I-D-S	S19T9SR42E	Carb	0.26	Pen.
11-7102	03-09-77	U.S. BLM	groundwater	Stk.	S2T16SR46E	B.L.	0.011	Pen.
11-7103	03-09-77	U.S. BLM	groundwater	Stk.	S10T16SR46E	B.L.	0.011	Pen.
11-7104	03-09-77	U.S. BLM	groundwater	Stk.	S33T16SR46E	B.L.	0.011	Pen.
11-7105	03-16-77	F. Hunzeker	groundwater	Stk.	S33T13SR45E	B.L.	0.10	Pen.
13-7141	11-16-76	B.&C. Erickson	unnamed springs	I-D-M	S11,12T14SR40E	Fran	0.96	Pen.
13-7142	08-01-73	W.W. Sorensen	groundwater	Irr-Stk	S27T12SR38E	Bann	8.11	App.
13-7143	07-23-73	S. W. Smith	groundwater	Dom.	S28T12SR38E	Bann	0.04	App.
13-7144	07-09-73	Gibbs Bros.	groundwater	Irr.	S21,22T12SR38E	Bann	12.80	App.
13-7146	12-17-76	C. McGregor	swamp area	Irr-Stk	S30T12SR41E	Fran	0.04	App.
13-7147	01-19-77	K. A. Christensen	groundwater	Irr.	S29T9SR40E	Carb	6.00	App.
13-7148	02-24-77	T. Bergeson	groundwater	Irr.	S14T15SR38E	Fran	4.00	Pen.
13-7149	02-28-77	C. D. Bosen	groundwater	Irr.	S14T15SR39E	Fran	3.00	Pen.
13-7150	02-28-77	L. Davis	spring	Dom-Stk	S28T14SR38E	Fran	0.09	Pen.
13-7151	02-28-77	L. Atkinson et al	spring	Dom-Stk	S3T15SR38E	Fran	0.29	Pen.
13-7152	03-04-77	P. R. Deats	groundwater	Irr-Stk	S6T14SR41E	Fran	0.82	Pen.
13-7153	03-07-77	B. Naylor	groundwater	Irr.	S2T15SR38E	Fran	4.00	Pen.
13-7154	03-08-77	P.O. Phillips	groundwater	Irr.	S3T16SR38E	Fran	8.90	Pen.
13-7155	03-09-77	C. Rasmussen	groundwater	Irr.	S10T10SR40E	Carb	5.80	Pen.
13-7156	03-10-77	J. Elgan	groundwater	Irr.	S4T14SR38E	Fran	5.48	Pen.
13-7157	03-10-77	J. Elgan	groundwater	Irr.	S5,6T14SR38E	Fran	2.00	Pen.
13-7159	03-17-77	E. Hansen	groundwater	Irr.	S12T14SR40E	Fran	0.20	Pen.
13-7160	03-18-77	L. S. Panter	unnamed springs	Irr-Stk	S19T12SR41E	Fran	0.62	Pen.
Total Surface Water (Idaho) approved,			0.04 cfs;	pending,	1.96 cfs			
Total Ground Water (Idaho) approved,			29.95 cfs;	pending,	37.793 cfs			

LIST OF APPLICATIONS IN THE BEAR RIVER DRAINAGE
IN THE STATE OF UTAH

APPL. NO.	APPLICANT	STATUS	SOURCE	PURPOSE	LOCATION (SLBM)	C.F.S.
47169 (25-7106)	Timothy Malan	Pending	Underground water - well	Irr.,Stk.,Dom.	Sec. 10, T9N, R1E	0.015
47172 (29-2105)	Lowell J. Hess, etux	Pending	Unnamed springs	Irr.,Stk.	Sec. 7, T13N, R2W	0.1
47179 (29-2107)	LaMont Gardner	Pending	Unnamed spring	Irr.,Stk.	Sec. 4, T11N. R2W	0.1
47207 (25-7108)	Tad H. & Lorena Bingham	Pending	Drain - Bear River	Irr.,Stk.	Sec. 13, T13N, R1W	0.50
47220 (25-7109)	M. J. Fonnesbeck	Approved	Underground Water - well	Stk.	Sec. 21, T12N, R1E	0.015
47221 (25-7110)	A. Ramon & Marquerite Purser	Approved	Underground Water - well	Dom.,Ind.	Sec. 9, T11N, R1W	0.015
47236 (25-7112)	Wayne L. Norman	Pending	Underground Water - well	Irr.,Stk.,Dom.	Sec. 23, T9N, R1E	3.0
47242 (25-7113)	First Nat'l Land Reserve	Pending	PeaVine Creek	Dom.	Sec. 28, T11N, R4E	55.22 af
47243 (25-7114)	Edwin Gossner	Pending	Underground Water - well	Irr.	Sec. 29, T12N, R1E	0.266
47244 (25-7115)	Mabel G. Buttars	Pending	Underground Water - well	Irr., Stk.,Dom.	Sec. 27, T14N, R2W	0.1
47257 (25-7118)	J. Arban Christensen	Pending	Morrison & Bowman Spring	Irr.,Stk.	Sec. 19, T14N, R3E	0.1
47285 (25-7119)	Pearl F. Hoopes	Approved	Underground Water - well	Irr.,Stk.,Dom.	Sec. 15, T12N, R1W	0.015
47295 (25-7120)	Ronald Andrews	Approved	Underground Water - well	Irr.,Stk.,Dom.	Sec. 2, R11N, R1E	0.015
47308 (25-7121)	Calvin W. Funk	Approved	Underground Drain	Irr.	Sec. 33, R14N, R1E	0.50
47309 (25-7122)	Derwin C. Merrill	Approved	Underground Water - well	Dom., Man.	Sec. 22, T14N, R1E	0.1
47310 (25-7123)	Derwin Merrill	Approved	Underground Drain	Dom., Man.	Sec. 22, T14N, R1E	0.1
47314 (23-3454)	Bill Hopkin	Approved	Underground Water - well	Irr.,Stk.,Dom.	Sec. 12, T9N, R7E	0.015
47316 (25-7124)	Vern P. Kendell	Approved	Unnamed Drain	Irr.,Stk.	Sec. 4, T14N, R1W	0.1
47319 (29-2109)	Clair J. Firth	Pending	Underground Water - well	Stk.	Sec. 24, T11N, R4W	0.015
47334 (23-3455)	Swan Creek Village, Inc.	Pending	Swan Spring	Irr.,Dom.	Sec. 6, T14N, R5E	1.0
47335 (23-3456)	Swan Creek Village, Inc.	Pending	Swan Spring	Irr.,Dom.	Sec. 6, T14N, R5E	1.0
47336 (23-3457)	Swan Creek Village, Inc.	Pending	Swan Spring	Irr.	Sec. 6, T14N, R5E	1.0
47337 (23-3458)	Swan Creek Village, Inc.	Pending	Swan Spring	Irr.,Dom.	Sec. 6, T14N, R5E	1.0
47338 (25-7125)	Don P. Godfrey	Approved	Old Canyon & So. Cyn. Springs	Stk.	Sec. 33, T14N, R2W	0.015
47339 (25-7126)	Richmond Irr. Co.	Pending	Cub River	Irr.	Sec. 33, T14N, R1E	10.0
47340 (25-7127)	Herman R Church, et al	Pending	Church Springs	Irr., Stk.	Sec. 19, T12N, R1W	0.1
47345 (25-7128)	Stanley T. Buxton, etux	Approved	Underground Water - well	Irr.,Stk.,Dom.	Sec. 32, T11N, R1W	0.015
47360 (25-7129)	Merlin B. Maughan	Pending	Concrete Drain	Irr., Fish Cult.	Sec. 2, T10N, R1W	1.0
47361 (25-7130)	Don &/or Keith Meikle	Pending	Unnamed Springs (3)	Irr.,Stk.,Dom.	Sec. 26, T13N. R1E	0.1
47362 (25-7131)	Wallace A. Cattle	Approved	Underground Water - well	Irr.,Stk.	Sec. 26, T14N, R2W	0.015
47370 (25-7132)	Willard R. Peterson	Pending	Underground Water - well	Irr., Stk.	Sec. 4, T10N, R1E	0.1
47371 (25-7133)	Raymond & Albert Marchant	Pending	Underground Water - well	Irr., Stk.	Sec. 16, T13N, R1E	0.1

LIST OF APPLICATIONS IN THE BEAR RIVER DRAINAGE IN THE STATE OF UTAH

APPL. NO.	APPLICANT	STATUS	SOURCE	PURPOSE	LOCATION	C.F.S.
47372 (25-7134)	John C. Jones	Pending	Underground Drain	Irr., Stk.	Sec. 29, T12N, R1E	0.10
47375 (25-7135)	J. Burke Gunnell	Pending	Underground Water - well	Irr.	Sec. 10, T11N, R1E	0.015
47389 (21-1356)	Steven O. Stewart	Pending	Underground Water - well	Dom.	Sec. 4, T2N, R10E	0.015
47390 (29-2111)	Doyle Kofoed	Pending	Underground Water - well	Irr.,Stk.	Sec. 25, T8N, R2W	0.1
47391 (29-2112)	Glen Woodyatt	Pending	3 Unnamed Springs	Irr.,Stk., Dom.	Sec. 25, T8N, R2W	0.1
47392 (25-7136)	Garr Christensen	Pending	Cub River	Irr.	Sec. 32, T14N, R1E	2.0
47404 (25-4137)	Larry S. Olsen	Pending	Underground Drain	Irr.	Sec. 4, T10N, R1E	0.1
47405 (25-7138)	Roland K. Griffin	Pending	Underground Water - well	Irr.,Stk.,Dom.	Sec. 17, T13N, R1W	0.03
47406 (25-7139)	Granville E. Barlow	Pending	Underground Drain	Irr.	Sec. 1, T14N, R1W	1.0
47407 (25-7140)	Raymond H. Leonhardt	Pending	Underground Water - well	Irr.	Sec. 5, T10N, R1E	0.10
47408 (25-7141)	Ned Housley	Pending	Unnamed Spring	Irr.,Stk.,Dom.	Sec. 24, T14N, R1E	0.015
47423 (21-1357)	Edward W. & Kristi Snyder	Pending	Underground Water - well	Irr.,Stk.	Sec. 10, T2N, R10E	0.015
47427 (25-7146)	Logan City-Cache Co.	Pending	Underground Water - well	Other	Sec. 4, T11N, R1E	1.0
47428 (25-7147)	Clarence & Marian Bobm	Pending	Underground Water - well	Irr.,Dom.,Stk.	Sec. 2, T11N, R1W	0.015
47430 (25-7143)	Sorensen & Doty	Pending	Underground Water - well	Irr.,Stk.,Dom.	Sec. 3, T13N, R1W	0.1
47431 (25-7144)	Del-Gar	Pending	Underground Water - well	Irr.,Stk.,Dom.	Sec. 27, T11N, R1E	0.015
47432 (25-7145)	Roger Petersen	Pending	Underground drain	Irr.,Stk.	Sec. 14, T12N, R1W	0.5
47438 (23-3459)	Bureau of Land Management	Pending	Seismic Hole	Stk.	Sec. 30, T10N, R7E	0.1
47443 (25-7142)	Allan Poppleton	Pending	Underground Water - well	Stk., Other	Sec. 6, T10N, R1E	0.015
47445 (25-7148)	James L. Bradley	Pending	Underground Water - well	Irr., Stk.	Sec. 10, T11N, R1E	0.1
47469 (25-7149)	Doyle Jones	Pending	Underground Water - well	Irr.,Stk.,Dom.	Sec. 8, T11N, R1E	0.015
47473 (23-3460)	P. C. Kimball	Pending	Underground Water - well	Dom.	Sec. 33, T14N, R5E	0.2
47482 (25-7150)	Claude & Louise Wennergren	Pending	Underground Water - well	Irr.,Stk.	Sec. 20, T12N, R1E	1.0
47562 (25-7159)	Floyd W. Dorius	Pending	Unnamed Slough & Drain	Irr.,Stk.	Sec. 11, T14N, R1W	1.0
47568 (25-7160)	Troy Gene Nielsen	Pending	Underground Water - well	Irr.,Dom.	Sec. 17, T11N, R1E	0.015
47570 (29-2114)	Wayne A. Jensen	Pending	Underground Water - well	Irr.,Stk.	Sec. 15, T9N, R2W	0.078
47576 (21-1360)	Amoco Production Company	Pending	Underground Water - well	Other	Sec. 3, T5N, R7E	2.0 af
47533 (25-7151)	Skeen Corporation	Pending	Underground Water - well	Irr.,Dom.	Sec. 36,T11N, R1W	5.0
47534 (25-7152)	Kendlith N. Munk	Pending	Underground Drain	Irr.,Stk.	Sec. 25, T13N, R1W	0.5
47535 (25-7153)	Burton & Vivian Harris	Pending	Cub River	Irr.,Stk.	Sec. 28, T14N, R1E	2.0
47536 (25-7154)	Sharell or Bryan Summers	Pending	Underground Water - well	Irr.,Stk., Dom.	Sec. 22, T10N, R1#	0.030

LIST OF APPLICATIONS IN THE BEAR RIVER DRAINAGE
IN THE STATE OF UTAH

APPL. NO.	APPLICANT	STATUS	SOURCE	PURPOSE	LOCATION	C.F.S.
47537 (25-7155)	William D. Hansen	Pending	Underground Water (well)	Irrigation	Sec. 23, T11N, R1E.	0.29
47538 (25-7156)	Leland N. Preece	Pending	Underground Water (well)	Irr, Stk, Dom.	Sec. 34, T11N, R1E.	1.0
47539 (25-7157)	Rex Gustaveson	Pending	Underground Water (well)	Irr, Stk, Dom.	Sec. 10, T11N, R1E.	0.015
47540 (25-7158)	Conley Schwartz	Pending	Underground Water (well)	Irr, Stk.	Sec. 5, T10N, R1E.	0.1
47543 (29-2113)	William A. Wells	Pending	Underground Water (well)	Irr, Stk.	Sec. 15, T8N, R2W.	3.0
47549 (23-3461)	Lawrence D. Lamborn	Pending	Underground Water (well)	Irr, Stk.	Sec. 31, T13N, R5E.	0.015
47556 (21-1358)	Amoco Production Company	Pending	Underground Water (well)	Drilling	Sec. 9, T5N, R7E.	2.0 acre-ft
47557 (21-1359)	Amoco Production Company	Pending	Underground Water (well)	Drilling	Sec. 1, T6N, R7E.	2.0 acre-ft
47591 (25-7161)	Hyrum Covert	Pending	Underground Water (well)	Irr, Stk, Dom.	Sec. 2, T11N, R1W.	0.015
47608 (29-2115)	Stanley K. Parkin	Pending	Underground Water (well)	Irr, Stk, Dom.	Sec. 2, T7N, R2W.	0.3
47611 (23-3462)	Max A. Crosland & Grace T.	Pending	Underground Water (well)	Irr, Dom.	Sec. 20, T13N, R6E.	0.015
47618 (25-7162)	Floyd Dorius, Jess M. Harris, and T. L. Weeks	Pending	Bear River	Irrigation	Sec. 11, T14N, R1W.	1.5
47628 (25-7163)	Fred Stevens	Pending	Underground Water (well)	Irr, Stk.	Sec. 18, T12N, R1E.	1.0
47629 (25-7164)	Fred Stevens	Pending	Underground Water (well)	Irr, Stk, Dom.	Sec. 18, T12N, R1E.	0.015
47630 (25-7165)	J. L. Jaussi	Pending	Underground Water (well)	Irr, Stk, Dom.	Sec. 10, T13N, R1E.	0.1
47631 (29-2116)	W. F. Goring & Son, Inc.	Pending	Underground Drain	Irr, Stk.	Sec. 17, T11N, R2W.	1.0
47632 (25-7166)	David L &/or Frances Shaffer	Pending	Underground Drain (existing)	Stockwatering	Sec. 21, T14N, R1W.	0.015
47644 (29-2117)	Wendell Peterson &/or Clair Firth % Clair Firth	Pending	Underground Water (well)	Irr, Stk.	Sec. 13, T11N, R4W.	4.0
47645 (25-7167)	Martin W. & Lloyd M. Jenson	Pending	Unnamed Drain	Irr, Stk.	Sec. 13, T13N, R1W.	0.5
47646 (25-7169)	City of Enoch	Pending	Unnamed Springs	Irr, Stk, Dom.	Sec. 1, T14N, R1E.	0.015
47647 (25-7168)	City of Enoch	Pending	Unnamed Springs and overflow	Irr, Stk.	Sec. 12, T14N, R1E.	0.1
47653 (29-2118)	H. Dean & Jean C.Baddley	Pending	Developed Spring	Dom, Stk.	Sec. 22, T8N, R2W.	0.015
47654 (29-2119)	H. Dean & Jean C. Baddley	Pending	Developed Spring Area	Irr, Stk.	Sec. 22, T8N, R2W.	0.25
47674 (23-3463)	Grant Dean	Pending	Underground Water (well)	Irr, Stk.	Sec. 9, T9N, R7E.	2.0
47683 (25-7170)	Darius Carter	Pending	Underground Water (well)	Irr, Stk, Dom.	Sec. 1, T11N, R1W.	0.015
47692 (25-7172)	Boyd Tripp	Pending	Underground Water (well)	Irr, Stk, Dom.	Sec. 35, T14N, R1E.	0.015
47716 (25-7173)	P. Larry Alder	Pending	Underground Water (well)	Irr, Stk, Dom.	Sec. 10, T11N, R1E.	0.015
47717 (25-7174)	Duane W. Griffin	Pending	Bear River	Irrigation	Sec. 30, T13N, R1W.	1.0
47718 (25-7175)	Donald Henderson	Pending	Underground Water (well)	Irr, Stk, Dom.	Sec. 28, T11N, R1E.	0.015
47720 (29-2120)	Ellis V. Flint	Pending	Underground Water (well)	Irrigation	Sec. 6, T14N, R3W.	0.1

LIST OF APPLICATIONS IN THE BEAR RIVER DRAINAGE
IN THE STATE OF UTAH

APPL. NO.	APPLICANT	STATUS	SOURCE	PURPOSE	LOCATION	C.F.S.
47738 (25-7176)	Robert L. & Peggy Ann Jensen	Pending	Underground Water (well)	Stockwatering	Sec. 7, T11N, R1E.	0.015
47739 (25-7177)	James M. & Barbara R. Willis	Pending	Underground Water (well)	Irr, Stk, Dom.	Sec. 32, T13N, R1E.	0.015
47752 (25-7180)	William N. Hancock	Pending	Underground Water (well)	Irr, Stk, Dom.	Sec. 17, T11N, R1W.	0.125
47757 (25-7178)	Gerald Richardson	Pending	Underground Water (well)	Irr, Stk, Dom.	Sec. 30, T13N, R1W.	0.015
47820 (25-7179)	R. Clair Merrill	Pending	Underground Water (well)	Irr, Stk, Dom.	Sec. 32, T13N, R1E.	0.015
47836 (25-7182)	Hyrum City	Pending	Underground Water (well)	Irrigation	Sec. 5, T10N, R1E.	2.5
47838 (25-7183)	Miller's Auto Repair	Pending	Underground Drain	Industrial, Car Wash	Sec. 27, T12N, R1E.	0.1
47839 (29-2122)	Vay S. Jensen	Pending	Underground Water (well)	Irr, Stk.	Sec. 17, T10N, R2W.	0.1
47840 (29-2123)	Curtis Treloggen	Pending	Underground Water (well)	Irr, Stk, Dom.	Sec. 4, T10N, R2W.	0.1
47842 (25-7185)	Leland W. Kidman	Pending	Unnamed Spring & Reg. Res.	Irr, Stk.	Sec. 24, T12N, R2W.	1.0
48743 (25-7186)	Roger L. & Beverly J. Luft	Pending	Underground Water (well)	Irr, Dom.	Sec. 27, T11N, R1E.	0.015
47844 (25-7187)	Reece D. Nielsen	Pending	Underground Drain	Irr, Stk.	Sec. 4, T10N, R1E.	1.0
47871 (25-7181)	Paul Cooper	Pending	Underground Water (well)	Irr, Stk, Dom.	Sec. 10, T10N, R1W.	0.015
47874 (25-7189)	White's Incorporated	Pending	Cold Water Spring	Fish Culture	Sec. 9, T10N, R2E.	4.0
47875 (25-7190)	White's Incorporated	Pending	Blacksmith Fork River	Fish Culture	Sec. 16, T10N, R3E.	40.0
47876 (25-7188)	Charles H. Mickelsen, etux	Pending	Underground Water (well)	Irr, Stk, Dom.	Sec. 34, T14N, R1E.	0.1
47878 (25-7191)	Sidney D. Hansen	Pending	Underground Water (well)	Irr, Stk.	Sec. 17, T13N, R1W.	0.03
47960 (25-7195)	Wade Christensen	Pending	Underground Water (well)	Irr, Stk, Dom.	Sec. 26, T14N, R1E.	2.0
47961 (25-7194)	Leo W. Woodruff	Pending	Underground Drain	Irr, Stk.	Sec. 32, T13N, R1E.	0.1
47979 (29-2124)	Yvonne Holmstead	Pending	Unnamed Spring	Irr, Stk, Dom.	Sec. 12, T13N, R3W.	0.5
47998 (25-7196)	Lee Johnson, Pat Preston, & Merlin Saunders	Pending	Benson Irr. Co. overflow	Irrigation	Sec. 12, T12N, R1W.	0.5
48003 (25-7193)	Douglas C. Merrill	Pending	Underground Water	Irr, Dom.	Sec. 17, T11N, R1W.	0.1
48008 (29-2125)	Helen A. Harding	Pending	Underground Water (well)	Irr, Stk.	Sec. 2, T7N, R2W.	0.25
48009 (29-2150)	D. Ray Hill	Pending	Underground Water (well)	Irr, Dom.	Sec. 10, T11N, R3W.	1.0
48019 (25-7196)	Edwin Kent Christiansen	Pending	Underground Water (well)	Irr, Stk.	Sec. 5, T10N, R1E.	0.1
48020 (25-7198)	Val J. Benson, etux	Pending	Underground Water (well)	Irr, Dom, Stk.	Sec. 28, T13N, R1E.	0.5
48024 (25-7199)	Harris Griffin	Pending	Bear River	Irrigation	Sec. 30, T13N, R1W.	1.0
48026 (25-7200)	Stanton S. Barrett	Pending	Underground Water	Irr, Stk, Dom.	Sec. 8, T11N, R1W.	0.1
48028 (25-7300)	D. Hugh Heath	Pending	Underground Water (well)	Irr, Stk, Dom.	Sec. 15, T14N, R1E.	0.1
48029 (29-2151)	Amos E. Hatch	Pending	Unnamed Pond	Irr, Stk.	Sec. 32, T10N, R2W.	3.0
48030 (25-7301)	Melvin Ray Gilbert	Pending	Cub River	Irrigation	Sec. 3 & 4, T14N, R1E.	2.0

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APPL. NO.	APPLICANT	STATUS	SOURCE	PURPOSE	LOCATION	C.F.S.
48031 (21-1361)	Ross J. Marquez	Pending	Underground Water (well)	Domestic	Sec. 33, T3N, R10E.	0.015
48040 (25-7306)	D. Russell Hendricks	Pending	Unamed Spring	Irr, Stk.	Sec. 10, T14N, R1E.	0.5
48069 (25-7302)	Bruce H. Anderson &/or Howard B. Peterson	Pending	Underground Water (well)	Irr, Stk, Dom.	Sec. 31, T12N, R1E.	1.0
48070 (25-7303)	Moris Walker	Pending	Unnamed Spring	Irr, Stk.	Sec. 34, T14N, R1W.	0.015
48086 (25-7304)	Blanche W. Gunnell	Pending	Underground Water Drain	Irrigation	Sec. 32, T13N, R1E.	0.5
48087 (29-2152)	Keith W. Warren	Pending	Underground Water (well)	Domestic	Sec. 23, T10N, R2W.	0.045
48088 (29-2153)	Keith A. Gardner	Pending	Underground Drain	Irr, Stk.	Sec. 2, T12N, R3W.	0.1
48089 (25-7305)	D. Russell Hendricks	Pending	Unnamed Spring stream	Irrigation	Sec. 15, T14N, R1E.	0.5
48091 (25-7307)	T. Dale Chambers	Pending	Underground Water Drain	Irr, Stk.	Sec. 4, T12N, R1E.	0.5
48092 (25-7309)	Morris Mickelson, etux	Pending	Underground Water (well)	Irr, Stk, Dom.	Sec. 8, T14N, R1E.	0.1

Total of Utah Applications

	Approved	Pending
Ground water	0.805 cfs	40.449 cfs
Surface water	0.115 "	105.35 "