

BEAR RIVER COMMISSION

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PROPOSED MINUTES

BEAR RIVER COMMISSION REGULAR MEETING ONE-HUNDRED ELEVENTH COMMISSION MEETING November 27, 2007

COMMISSION MEMBERS

Chair

Dee C. Hansen

Idaho Members

David R. Tuthill
Rodney Wallentine
Marcus J. Gibbs

Utah Members

Dennis J. Strong
Blair Francis
Charles W. Holmgren

Wyoming Members

Patrick T. Tyrrell
Sam Lowham
Gordon Thornock

ENGINEER-MANAGER

Jack A. Barnett
Suite 101
106 West 500 South
Bountiful, UT 84010

The regular meeting of the Bear River Commission was called to order by Rodney Wallentine at 1:15 p.m. on Tuesday, November 27, 2007 at the Utah Department of Natural Resources building in Salt Lake City, Utah. This was the one-hundred and eleventh meeting of the Commission. Wallentine welcomed everyone to the meeting and noted that Federal Chairman Dee Hansen was ill and as Vice Chairman he would conduct the meeting. Commission members introduced themselves and Gary Spackman indicated he was attending for Dave Tuthill. Wallentine then asked all in the room to introduce themselves. An attendance roster is attached to these minutes as Appendix A.

The Commission then reviewed and approved the proposed agenda for the meeting. A copy of the approved agenda is attached as Appendix B. Two resolutions of appreciation were presented to the Commission by Gary Spackman, one for Karl Dreher and one for Dean Mathews. Copies of the resolutions are attached as Appendix C. There was a motion to accept the resolutions. The motion was seconded and carried. It was noted that Dean Mathews is in St. George in poor health and is on a liver transplant list. Karl Dreher is now working in Denver for a consulting firm.

The draft minutes of the April 17, 2007 Commission meeting were then discussed. Three minor editorial changes were suggested. There was a motion that the minutes be approved with the small changes to be made. The motion was seconded and carried.

Vice Chairman Wallentine moved to agenda item III, the report of the Secretary-Treasurer. Commissioner Dennis Strong indicated he had received the proposed contract with the USGS and requested authorization to sign the contract on behalf of the Commission. Strong was given authorization to sign the USGS contract. Randy Staker was then asked to review the budget documents. Staker distributed and reviewed two handouts regarding the Commission expenditures and budget. These handouts are attached to these minutes as Appendix D.

The time was then turned to Connely Baldwin for the report from PacifiCorp under agenda item IV. A copy of Baldwin's summary sheet is attached to these minutes as Appendix E. Baldwin reviewed the summary sheet noting that there were about 34,000 acre-feet of the irrigation allocation which were not used in 2007. This amount is 15% of the total allocation. The Bear Lake net runoff was 79,800 acre-feet (26% of average). The current Bear Lake elevation is 5907.65 feet. Looking toward 2008, there are a couple of scenarios. If Bear Lake rises 0.4 feet (as in 1997) to an elevation of 5908 feet, the irrigation allocation would be 168,000 acre-feet (69% of maximum allowed). If Bear Lake rises 6.6 feet (as in 2005) to an elevation of 5914, the allocation would be 227,000 acre-feet (92% of the maximum allowed).

Vice Chairman Wallentine then asked Carly Burton to report for the Bear River Water Users Association. Burton distributed copies of his report and reviewed the report with the Commission. A copy of the report is attached to these minutes as Appendix F. Burton compared 2007 with past drought years. Deducting the unused allocation of 2005 and 2006, which were abundant runoff years, the allocation amounted to about 1.2 million acre-feet with 1.1 million acre-feet of storage delivered and 102,000 acre-feet preserved for lake recovery (8.5%). The Water Users Association continues to be active in the new water application review. The new applications for the Black Bear and Hook Canyon are being watched closely.

The time was turned to Don Barnett to report on water banking on the Snake River under agenda item VI. Barnett indicated that several Commissioners had requested this subject be discussed. In Idaho there has been a water supply bank that has been in place for about 30 years which is formally under the Idaho Board of Water Resources. In the water supply bank, one can put in natural flow or stored water and it can be leased or sold through the water bank. It is managed by the Board. A step down from that are water bank rental pools. These pools deal specifically with stored water. There is one pool on the Snake River, one on the Payette River and one on the Boise River. Those are managed by water user organizations such as the Committee of Nine on the Upper Snake River Basin. These organizations have been given more latitude in developing their own rules about how they allow for stored water to come into the rental pool and then rent it out in a given year. There is a large range of ideas with regard to water banking. Barnett asked the Commissioners of their interest in having someone from Idaho come to a Commission meeting to give a more in-depth presentation. There was then some discussion of how water banking is working in Idaho. Jack Barnett noted that a more comprehensive presentation could be arranged from Idaho if the Commission desired such a presentation. It was determined that more detailed information would be helpful as time allows on the April Commission meeting agenda.

The Commission moved to agenda item VII, the Commission's website. Don Barnett indicated that a presentation was given to the Records & Public Involvement Committee earlier in the day. That committee authorized that some updates and additions be made to the website. The website should be finished shortly.

Vice Chairman Wallentine then turned the time to Walt Baker for the Water Quality Committee report under agenda item VIII. Baker indicated Utah, Wyoming and Idaho were represented at the committee meeting held on Monday, November 26. A large part of the meeting was centered on the EPA targeted watershed grant. The Commission is now entering into the fourth year of the grant as a one-year extension was granted by the EPA. It is anticipated that a final report will be given to the EPA in 2008.

There are four elements of the grant: a repository for data, analyses, and a website; a trading model; pollution trading and an outreach program. The pollution trading is the area wherein there is a struggle. A trading workshop was sponsored by Utah State University in July. Nationally there are some states that have gotten out of the starting gate on pollution trading. The Commission's EPA grant effort is 75% complete and half of the funding has been spent. Baker reported that with regard to the collaborative effort on monitoring, this is a five-year effort and it is working well. In Utah, the Cutler Reservoir TMDL is scheduled to have a draft completed by June 2008. Below Cutler Reservoir to the Great Salt Lake, the TMDL will be revisited in the summer of 2008. Richmond City is implementing a new waste water treatment plant with advanced treatment and nutrient removal. Wyoming is moving toward a TMDL approach and away from a watershed approach. There are no new Bear River TMDL listings in Wyoming. In Idaho, the TMDL was completed in 2006 on the Bear River. Idaho is monitoring mercury in reservoirs and lakes. Baker was asked if Utah was doing pollution trading. Baker indicated Utah is doing pollution trading on a limited basis and gave a few examples.

The time was then turned to Charles Holmgren for the Records & Public Involvement Committee report under agenda item IX. Holmgren reported that the committee met at 10:30 a.m. that morning. The committee members are Charles Holmgren, Marc Gibbs and Gordon Thornock. The notes from the spring meeting were discussed and the tours and symposiums were discussed. No events are scheduled for at least another year. It might be two to three years before a Commission-sponsored event is scheduled. The committee discussed the Commission website and the Thirteenth Biennial Report. The costs of producing the document were reviewed and ways to reduce the costs were discussed. The committee recommends not including the USGS gage site detail as this information is available on the USGS website. The committee discussed the potential of working with Stonefly on their bearriver.org website. The Commission budgeted \$6,000 to help with the Stonefly effort. Holmgren indicated the committee discussed more automated gages. The Bureau of Reclamation will have additional funds to add or improve gages on the river. The committee discussed publications of interest which Jack Barnett brought before the committee. Craig Denton's photo essay on the Bear River was passed around the committee meeting. This document was published by USU Press. Another publication of interest was USGS data on Bear Lake prepared by Walt Dean.

Holmgren reported the Records & Public Involvement Committee looked at reservoir sites. A handout was distributed at the committee meeting concerning reservoir sites and the cost of reservoir projects on the Bear River system. Some work needs to be done with the information on the sheet. The amended handout is made a part of these minutes as Appendix G (Appendix G will be provided at the April Commission meeting). The committee had a discussion regarding the Army Corps of Engineers and its involvement in studying the Bear River system. The Commission previously determined there was not a need to become involved with this study. Jack Barnett and some TAC members will be involved in reviewing the Corps report to see if it is accurate. There were no questions for Holmgren.

Commissioner Sam Lowham was then asked to give the report of the Operations Committee under agenda item X. Lowham indicated that the committee met at 9:00 a.m. that morning. The water distribution of 2007 was discussed. In the Upper Division there was no formal emergency declaration but coordination between Don Shoemaker and Ron Hoffman made this possible. The Central Division went into regulation on June 1, 2007. Connely Baldwin reported on the Lower Division in his report to the Commission. If Bear Lake stays below 5911, the upper reservoirs will not be able to fully fill in

2008. The committee discussed new development in the Bear River Basin, reviewed several articles in the Bear River Compact and agreed that the TAC should be given the assignment to update the depletion and storage allocations made in the amended Compact and how much has been developed in each of the three states. There was then a discussion concerning the role of the Commission with regard to new developments. There was a motion that the TAC is to look to define the Commission's role in future developments and to update the depletion information. The motion was seconded and carried. There was then a brief discussion about the adopted Commission procedures. Jack Barnett indicated there could be some suggested procedure which would give the three State Engineers some knowledge of how the Commission would be reacting to significant developments on the Bear River. Pat Tyrrell indicated that people who are developing land need to understand that they are developing in a fully compacted basin.

Following a short break, the Commission moved to agenda item XI, the Engineer-Manager and TAC report. Jack Barnett indicated the TAC work assignments are to prepare the Fourteenth Biennial Report, approach Stonefly to arrange the use of \$6,000 from the Commission's budget and meet to discuss the provisions in the Compact and how the Commission might react and get involved in proposed developments relating to changes, transfers or appropriations of water. The TAC will also look at the depletion issue.

The time was then turned to Commissioner Strong for the report of the Management Committee under agenda item XII. Strong indicated the various committees have discussed all items from the Management Committee. He did note that Bob Fotheringham from the Utah Division of Water Rights is retiring and leaving the State Engineer's office and thanked Bob for his participation with the Commission.

Vice Chairman Wallentine then moved to agenda item XIII, the state reports. Commissioner Strong was asked to report for Utah. Strong reported that Utah has retained the services of a consulting engineer to do a technical investigation of the Washakee Dam site near the Malad River near the Idaho border. On December 4, 2007 there will be an informational public meeting in Portage. The state is concerned about new standards and old technical information. Strong indicated the need for Bear River water vacillates. A few years ago Salt Lake County thought it would need Bear River water by 2010. The water might not be needed until 2035. The Weber Basin has an interesting dilemma. The Weber Basin is selling water to developers and the developers are buying the water and not using it. The issue is whether it is ethical, logical or reasonable to continue to use the water that is "wet" that is already sold to someone else for future use. Strong reported that he and Charles Holmgren met with Craig Denton and Amy Defreese with the Utah Rivers Council. There was a debate/discussion regarding the Bear River. A question was raised regarding the new Proctor & Gamble development. This is a paper products division. It was indicated that Proctor & Gamble will employ about 1,000 people. The company is looking to find water for processing. There would be return flow back to the river system. The development will impact Box Elder County land pricing. Brigham City might provide water via a pipeline over and back. They have filed an application for direct flow from Bear River and are buying shares from the Bear River Canal Company.

Gary Spackman then gave the Idaho report indicating that some years ago Idaho Water Resources opened a satellite office in Soda Springs and placed a person there to work on adjudication claims in the

Snake River, Portneuf River, for the Blackfoot River and some of the waters that flow off toward the Salt River in Wyoming. This effort is now winding down. The department wondered about keeping the Soda Springs office open and it has been determined to keep that office open. Cindy Bird works in this office. She has spent time with others in the Central Division doing measurements and reporting and she will now also work on future automation. Idaho Water Resources is wanting to maintain and enhance its presence in the Bear River Basin. It was suggested that Cindy be invited to the next TAC meeting.

Commissioner Pat Tyrrell then reported for Wyoming. This is a budget year for Wyoming, and Wyoming is asking for resources to fund increasing budgets for some interstate organizations. This is a reasonable budget request as it relates to interstate water resource issues. There is an increase of about \$300,000 in Wyoming's cooperative agreement with the USGS. Wyoming has embarked on a relatively bold stream gaging automation program that was spawned, in some measure, from successes in the Bear and Wind River Basins. This is an almost \$2 million budget item (\$1.6 million, actually, between two separate budget items). The session begins in February. There is also money in the budget for additional ground water monitoring. Tyrrell indicated there are two law suits that are ongoing that should be watched in terms of water law impacts. One law suit is the "Rivetts" suit, which is a suit where Wyoming regulated off some irrigation wells that are in alluvium tributary to a stream in Central Wyoming in the North Platte Basin. The ground water users, even though they were told a year ahead of time that regulation could occur and that they should develop some cooperative management in the valley, are suing Wyoming as a result of this regulating of ground water (where the interconnected surface water rights are senior), and complaining about how that regulation should occur. The other law suit is the West/Turner versus the State Engineer suit. The crux of the suit is the state's coal bed methane permitting practices, which do not generally lead to adjudication and therefore public input to the application process is limited. The plaintiffs have termed this a "public interest" suit.

Tyrrell reported that with regard to the well driller licensing bill that was reported at the last Commission meeting, the bill passed and then failed by veto because it had some bad wording. It is alive again and has passed through a committee. Wyoming is still trying to get it through so that well drillers can be licensed in Wyoming. This will be a committee-sponsored bill this winter. A second bill has to do with coal bed natural gas issues and water management. This bill would give the State Engineer the ability to manage surface discharge coal bed natural gas water in areas where the natural capacity of a natural waterway has been lost. One of the biggest problems in specific areas related to coal bed natural gas water discharge issues is flooding. A task force focused on some of the State Engineer's requirements. The bill provides the State Engineer with the authority to control the extent of the discharge to the natural capacity of an intermittent or ephemeral waterway, and to order the construction of channel capacity if certain conditions are met. This would minimize the impact to those areas where water discharges from coal bed natural gas is generating flooding complaints.

The Commission moved to agenda item XV and discussed the date for the next Commission meeting. It was determined that the next Commission meeting would be held on Tuesday, April 22 in Salt Lake City. The Water Quality Committee will meet on Monday, April 21. The Commission meeting was adjourned at 3:30 p.m.

ATTENDANCE ROSTER

**BEAR RIVER COMMISSION
REGULAR MEETING**
Utah Department of Water Resources
Salt Lake City, Utah
November 27, 2007

IDAHO COMMISSIONERS

Rodney Wallentine
Gary Spackman (attending for Dave Tuthill)
Marc Gibbs

WYOMING COMMISSIONERS

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

UTAH COMMISSIONERS

Dennis Strong
Blair R. Francis
Charles Holmgren
Norman Weston (Alternate)
Joseph Larsen (Alternate)

ENGINEER-MANAGER & STAFF

Jack A. Barnett
Don A. Barnett
Nola Peterson

OTHERS IN ATTENDANCE

IDAHO

Liz Cresto, Department of Water Resources

UTAH

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

WYOMING

Kevin Payne, State Engineer's Office
Don Shoemaker, Water Commissioner
Kevin Wilde, State Engineer's Office

OTHERS

Cory Angerth, U.S. Geological Survey
Connely Baldwin, PacifiCorp
Carly Burton, Bear River Water Users Association
Claudia Conder, PacifiCorp
David Cottle, Bear Lake Watch
Dan Davidson, Bear River Canal Company
Voneene Jorgensen, Bear River Water Conservancy District
Mitch Poulsen, Bear Lake Regional Commission

**PROPOSED
AGENDA**

Bear River Commission Regular Meeting
November 27, 2007

Utah Department of Natural Resources Building
Auditorium
Salt Lake City, Utah

COMMISSION AND ASSOCIATED MEETINGS

November 26

10:00 a.m. Water Quality Committee Meeting, Room 314

November 27

9:00 a.m. Operations Committee Mtg, Room 314 Lowham
10:15 a.m. Records & Public Involvement Committee Meeting, Room 314 Holmgren
11:30 a.m. Informal Meeting of Commission, Room 314 Barnett
11:45 a.m. State Caucuses and Lunch Spackman/Tyrrell/Strong
1:00 p.m. Commission Meeting, Auditorium Hansen

REGULAR COMMISSION MEETING

November 27, 2007

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

- I. Call to order Hansen
 - A. Welcome of guests and overview of meeting
 - B. Approval of agenda
- II. Approval of minutes of last Commission meeting (April 17, 2007) Hansen
- III. Report of Secretary/Treasurer Strong/Staker
- IV. PacifiCorp deliveries in 2007 Baldwin
- V. Activities of the Bear River Water Users Association Burton
- VI. Water banking on the Snake River D. Barnett
- VII. Commission's website D. Barnett/Adams

**APPENDIX B
PAGE TWO**

- | | | |
|-------|---|------------|
| VIII. | Report of the Water Quality Committee | Baker |
| IX. | Report of the Records & Public Involvement Committee | Holmgren |
| X. | Report of the Operations Committee | Lowham |
| BREAK | | |
| XI. | Engineer-Manager and TAC report | J. Barnett |
| XII. | Report of the Management Committee | Strong |
| XIII. | State Reports | |
| | A. Utah | Strong |
| | B. Idaho | Spackman |
| | C. Wyoming | Tyrrell |
| XIV. | Other Items | Hansen |
| XV. | Next Commission Meeting
(Tuesday, April 15, 2008?) | Hansen |

Anticipated adjournment: 3:30 p.m.

RESOLUTION OF APPRECIATION
FOR
DEAN MATTHEWS

WHEREAS, the Bear River Commission wishes to express its appreciation for the outstanding service of Dean Matthews during his term as Commissioner; and

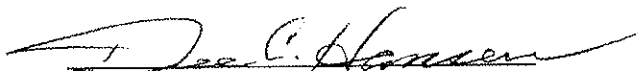
WHEREAS, Commissioner Matthews was appointed to the Bear River Commission on April 3, 2001 to December 31, 2006; and

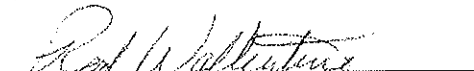
WHEREAS, Commissioner Matthews has contributed significantly to the Commission by actively participating in the Commission's meetings during his tenure on the Commission; and

WHEREAS, as a representative from Idaho, Commissioner Matthews brought to the Commission his exceptional understanding of water use, water needs and issues related to the operation and management of Bear Lake and Bear River;

NOW, THEREFORE BE IT RESOLVED, that the Bear River Commission does hereby unanimously express, on behalf of the entire Bear River which it serves, its appreciation and gratitude to Dean Matthews for his generous and distinguished service to the Commission.

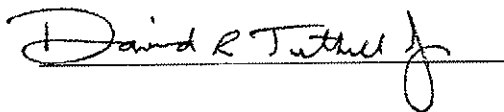
Resolution passed November 27, 2007

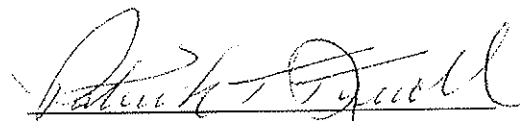

Chair

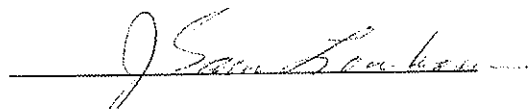

Vice-Chair

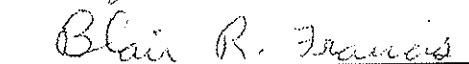

Engineer-Manager

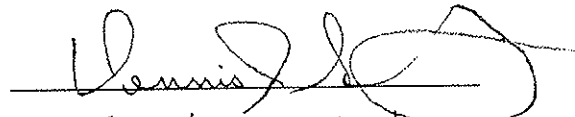


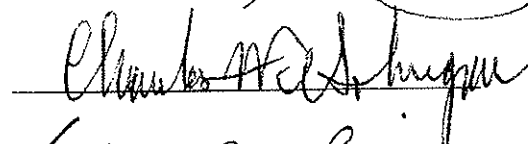


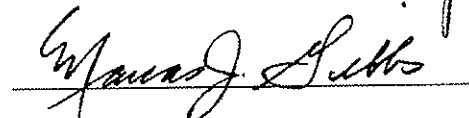












RESOLUTION OF APPRECIATION
For
KARL J. DREHER

WHEREAS, the Bear River Commission wishes to express its appreciation for the outstanding services of Karl J. Dreher during his term as Commissioner; and

WHEREAS, Commissioner Dreher served as an Idaho Bear River Commissioner during his tenure as Director of the Idaho Department of Water Resources, serving from May 26, 1995 to December 31, 2006; and

WHEREAS, Commissioner Dreher has contributed to the protection and enhancement of the Bear River as a member of the Commission by conscientiously attending and actively participating in the Commission's meetings during his tenure on the Commission; and

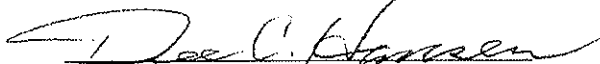
WHEREAS, Commissioner Dreher's knowledge, experience, and commitment to improving the Bear River environs was crucial to preparation and adoption of the Commission's positions and implementation of Commission programs; and


WHEREAS, as Director of the Idaho Department of Water Resources, Commissioner Dreher brought to the Commission his knowledge of water administration, water uses, and Idaho's perspective as to the priorities and operational issues of the Bear River;


NOW THEREFORE BE IT RESOLVED that Karl J. Dreher be recognized and commended for his exemplary service to the Bear River Commission and is hereby presented this Resolution to document the Commission's gratitude and esteem for his generous and distinguished service; and

BE IT FURTHER RESOLVED that the Bear River Commission extends to Karl J. Dreher its best wishes for his future endeavors.

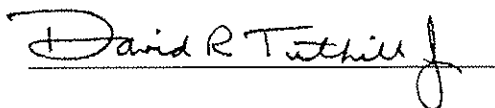
Resolution passed November 27, 2007

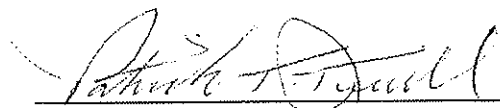

Chair


Vice Chair


Engineer-Manager

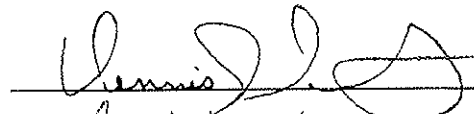


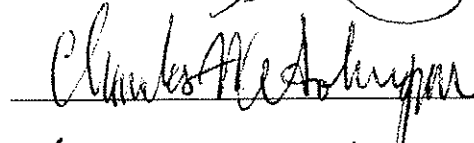


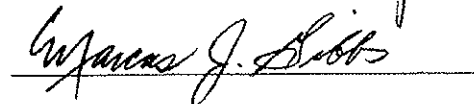












APPENDIX D
PAGE TWO

BEAR RIVER COMMISSION

DETAILS OF EXPENDITURES

FOR PERIOD ENDING JUNE 30, 2007

642	JACK BARNETT	8,986.66
644	JACK BARNETT	9,265.29
645	JACK BARNETT	4,715.42
646	JACK BARNETT	5,141.94
647	JACK BARNETT	4,868.66
	trans to WQA for service fees	100.00
648	JACK BARNETT	4,547.37
649	VOID	
650	VOID	
651	CAN SURETY	100.00
652	JACK BARNETT	9,402.89
653	JACK BARNETT	5,027.47
654	JACK BARNETT	5,074.20
65 ^f	JACK BARNETT	111.19
under hours refund	JACK BARNETT	-1,424.33

TOTAL EXPENSE 55,916.76

BANK RECONCILIATION

Cash in Bank per Statement 06-30-07	5,094.53
Plus: Intransit Deposits	
Less: Outstanding Checks	
Total Cash in Bank	5,094.53
Plus: Savings Account-Utah State Treasurer	96,535.14
TOTAL CASH IN SAVINGS AND IN CHECKING ACCOUNT	101,629.67

APPENDIX D
PAGE FOUR

BEAR RIVER COMMISSION

DETAILS OF EXPENDITURES

FOR PERIOD ENDING NOVEMBER 15, 2007

656	JACK BARNETT	4,718.33
657	VOID	
658	VOID	
659	VOID	
660	JACK BARNETT	4,847.33
661	USGS	56,550.00
662	JACK BARNETT	5,066.86
663	JACK BARNETT	4,806.15
664	JACK BARNETT	5,625.45

TOTAL EXPENSE 81,614.12

BANK RECONCILIATION

Cash in Bank per Statement 11-15-07	2,855.86
Plus: Intransit Deposits	
Less: Outstanding Checks	5,625.45
Total Cash in Bank	(2,769.59)
Plus: Savings Account-Utah State Treasurer	136,608.96
TOTAL CASH IN SAVINGS AND IN CHECKING ACCOUNT	133,839.37

SUMMARY OF BEAR LAKE/BEAR RIVER OPERATION FOR 2007
AND POSSIBLE IRRIGATION ALLOCATIONS FOR 2008

Water Year 2007 Bear Lake Operation

Low Bear Lake elevation	5909.97'	October 12, 2006
High Bear Lake elevation	5912.58'	May 18, 2007
April 1 st forecast of Bear River at Stewart Dam April - July total volume	75,000 acre-feet (31% of average)	
Observed Rainbow Inlet Canal April - July total volume	34,000 acre-feet (14% of average)	
<i>Observed Rainbow Inlet Canal March - July total volume</i>	<i>73,000 acre-feet</i>	
Bear Lake Settlement Agreement irrigation allocation	218,000 acre-feet (89% of maximum)	
Bear Lake Outlet Canal period of release	May 12 to September 24	
Bear Lake Outlet Canal total release	212,000 acre-feet	
Bear Lake Outlet Canal storage release*	194,000 acre-feet	
Bear Lake Settlement Agreement "system loss" volume [^]	10,600 acre-feet	
Unused irrigation allocation for lake recovery	33,800 acre-feet (15% of allocation)	
End of water year Bear Lake elevation	5907.65'	September 30, 2007
Bear Lake net runoff	79,800 Ac. Ft (26% of average)	

Current Status

Fall minimum Bear Lake elevation	5907.63'	November 11, 2007
Recent Bear Lake elevation	5907.65'	November 20, 2007

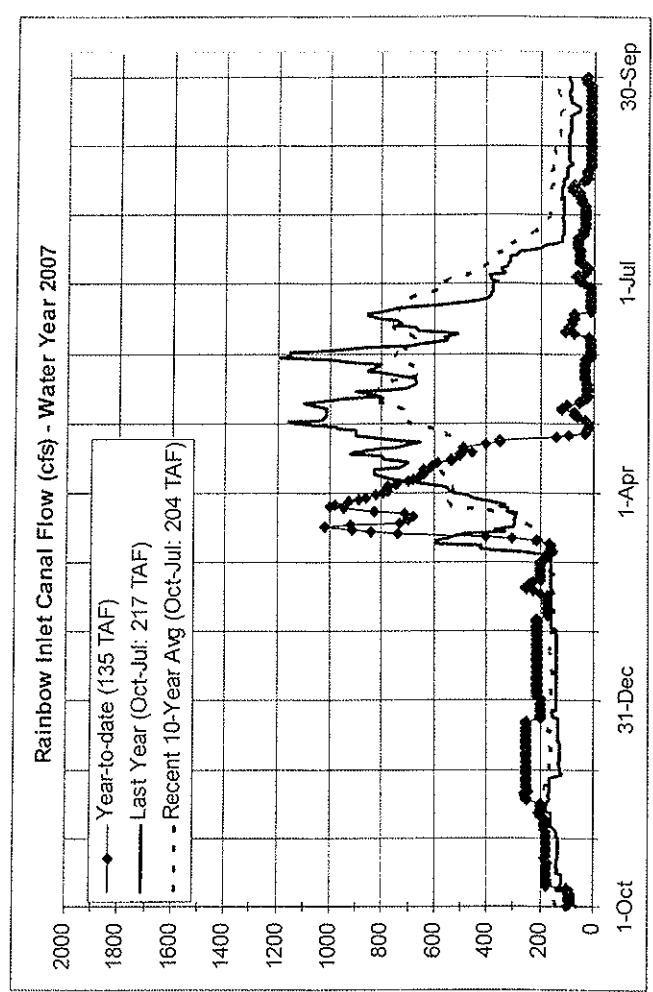
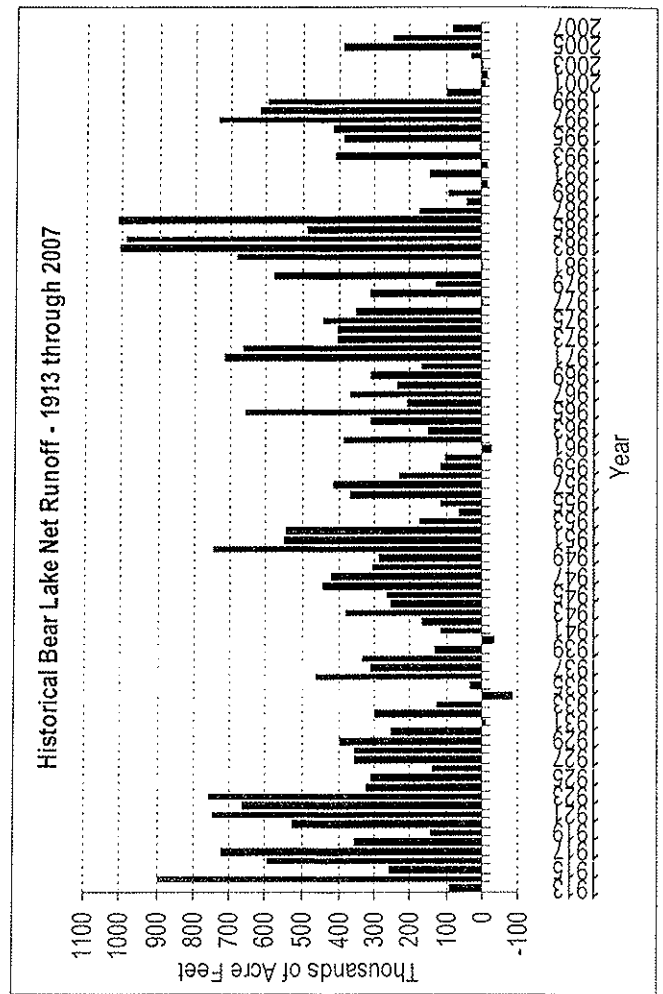
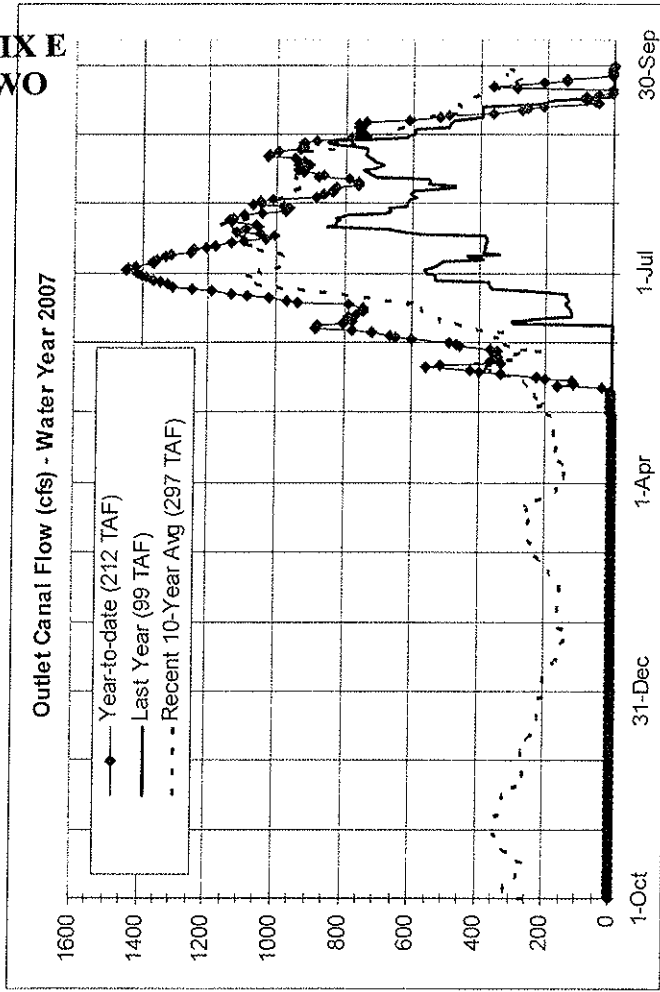
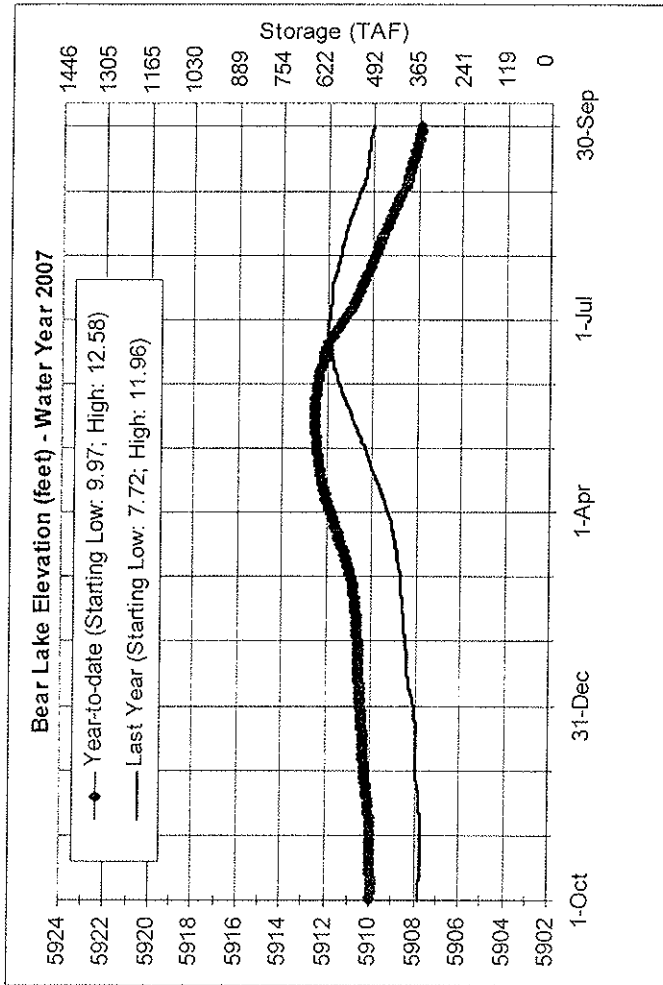
Range of Possible Irrigation Allocation for 2008

- If Bear Lake rises 0.4' (5") as in 1977 to around 5908, the irrigation allocation would be 168,000 Acre-feet (69% of maximum allowed).
- If Bear Lake rises 6.6' as in 2005 to 5914, then the allocation would be 227,000 AF (92% of maximum allowed).

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

[^] Due to uncontrolled flow from (welcome) rain events. Whenever water flows below Cutler during the irrigation season any storage water in the system at Cutler is the first water out. Natural flow goes to irrigators.

Graphs Comparing Water Year 2007 to Water Year 2006 ("Last Year")



**Bear River Water Users Association
Report to the Bear River Commission
November 27, 2007**

Summary of Bear Lake storage use 2000-2007

The table below shows comparisons of Bear Lake allocation and delivery of storage water for the period 2000 to 2007. Values are in thousands of acre feet.

<u>Year</u>	<u>Bear Lake Net Runoff</u>	<u>Allocation for Irrigation</u>	<u>Storage Delivery</u>	<u>Storage Saved Amount</u>	<u>%</u>
2000	95	245	201	44	18
2001	-11	245	245	0	0
2002	-19	215	204	11	5
2003	-5	181	176	5	3
2004	27	85	77	8	9
2005	389	141	54	87	62
2006	245	225	54	171	76
<u>2007</u>	<u>80</u>	<u>218</u>	<u>184</u>	<u>34</u>	<u>15</u>
Totals		1555	1195	360	

Data provided by PacifiCorp

A review of the table shows that over the eight year period over 1.5 million acre feet was allocated by PacifiCorp based on the terms of the Settlement Agreement. Of that amount about 1.2 million acre feet was delivered with 360 thousand acre feet preserved for lake recovery. A portion of the unused allocation was due to favorable weather conditions and abundant runoff especially in 2005 and 2006. Deducting those two years the allocation amounted to about 1.2 million acre feet with 1.1 million acre feet of storage delivered and 102,000 acre feet, or 8.5% preserved for lake recovery. The Bear Lake net runoff for 2007 was 80,000 acre feet, however nearly all spring runoff occurred in March so there was very little natural flow available for irrigation delivery to the lower division for the remainder of the irrigation season.

The table below compared temperatures and precipitation for the 6 dry years from 2000 to 2007. 2005 and 2006 were not included. Weather records were obtained using the Logan Radio Station for the period April through September of each year.

APPENDIX F
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<u>Year</u>	<u>Precipitation</u>		<u>Temperatures</u>	
	<u>Amount</u>	<u>% of Ave.</u>	<u>Ave.</u>	<u>Departure from Normal</u>
2000	8.95	114	62.5	+50
2001	4.40	56	62.6	+5.1
2002	6.34	81	56.7	-0.8
2003	5.32	68	58.7	+1.2
2004	6.16	79	57.5	0
<u>2007</u>	<u>4.13</u>	<u>53</u>	<u>57.7</u>	<u>+0.2</u>
Average	7.84		57.5	

A review of the table shows that 2007 was the driest in terms of irrigation season precipitation at only 4.13 inches and 53% of average. In fact precipitation for every month in 2007 was below to much below average during 2007. What is significant in the table is the fact that for the other five years, abundant precipitation occurred either early in the irrigation season or late in the irrigation season which either postponed Bear Lake storage releases or allowed for curtailment of storage releases at the end of the season.

In terms of temperatures, 2007 was about average and was actually much cooler than 2000, 2001 and 2003.

In summary, 2007 was a very dry year with runoff much below average. In spite of the conditions, Bear River Water Users Association and other irrigators managed storage water wisely as reflected in the numbers. During the weekly calls this past year the discussion always included efforts by the irrigators to reduce diversions to get through the season. I remember an e-mail I sent, in August to Bear River Water Users Association member where I stated "wouldn't it be remarkable if a part of this year's allocation was actually saved for next year?" In fact 34,000 acre feet or 16%, was conserved which may end up being a substantial part of the storage supply in 2008, if weather current conditions continue.

Real Time Data Monitoring

The Association has continued to work with PacifiCorp and USBR on trying to secure funds for completion of real time monitoring in the Lower Division, including Gentile Valley Canal, Idaho pumpers and Dingle area diversions. Currently USBR has drought funding money available which we are trying to secure. This will continue to be a priority during 2008.

New Water Application Review Activities

The Association continues to coordinate the review of new applications with PacifiCorp and Bear Lake Watch. Numerous applications in Idaho and Utah were protested and hearings were attended throughout the year. There are two large developments proposed in the Bear Lake area which we are reviewing closely and have worked with PacifiCorp to retain the services of Bob Hill at Utah State University to help in determining depletions and associated mitigation plans.