



# STATE OF IDAHO

## IDAHO WATER RESOURCE BOARD

STATEHOUSE

BOISE, IDAHO 83707

February 17, 1972

### BOARD

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Ex-officio Member  
 (Director, Department of  
 Water Administration)

MINUTES  
TRI-STATE BEAR RIVER NEGOTIATING MEETING  
MALAD, IDAHO  
February 3, 1972

### Those Present:

Marion Olsen, Utah Negotiating Committee Member  
 Daniel F. Lawrence, Utah Negotiating Committee Member  
 Hubert Lambert, Utah State Engineer  
 Simeon Weston, Utah Negotiating Committee Member  
 Gordon Peart, Utah Negotiating Committee Member  
 Calvin Funk, Utah Negotiating Committee Member  
 J. G. Christensen, Ass't. Director, Utah Division of Water Resources  
 Norman Stauffer, Utah Division of Water Resources  
 Dee C. Hansen, Area Engineer, Utah Division of Water Rights

Floyd A. Bishop, Wyoming State Engineer  
 J.W. Myers, Wyoming Negotiating Committee Member  
 S. Reed Dayton, Wyoming Negotiating Committee Member  
 John A. Teichert, Superintendent, Wyoming Division #4  
 Thomas L. Barker, Wyoming State Engineer's Office

Ferris M. Kunz, Idaho Negotiating Committee Chairman  
 Edwin C. Schlender, Idaho Water Resource Board Member  
 William G. Jenkins, Idaho Negotiating Committee Member  
 Joe Hedin, Idaho Negotiating Committee Member  
 R. Keith Higginson, Director, Idaho Department of Water Administration  
 Phillip M. Barber, Idaho Attorney General's Office  
 Alan C. Robertson, Idaho Water Resource Board Staff  
 R. James Johnson, Idaho Water Resource Board Staff

William F. Sigler, Utah State University  
 Dean Bischoff, U.S. Bureau of Reclamation  
 Harold Brown, Soil Conservation Service  
 Wallace N. Jibson, USGS, Bear River Commission  
 Robert B. Porter, Utah Power and Light Company  
 Daniel Perkins, Utah Power and Light Company  
 Dennis Geertsen, Utah State University  
 Wade H. Andrews, Utah State University  
 Heber Hardman, U.S. Bureau of Reclamation  
 Albert Jensen, Preston, Idaho  
 Merrill Hubbard, Director, Last Chance Canal  
 Glen Allen, Last Chance Canal  
 W. Kenneth Tarbet, Last Chance Canal

Dick Smith, Grace, Idaho  
Mary Matthews, Idaho Enterprise  
Norma South, Idaho State Journal and Deseret News  
Charles J. Nielsen, Malad, Idaho  
Daniel Roberts, Franklin County Water Users  
Charles W. Ward, Samaria Lake Irrigation Co.  
Don Evans, Idaho State Water Users Association  
Jay Hall, Bear River R C & D Agent  
Moyle E. Facer, Oneida County Water Board  
Howard Burkhardt, Idaho Dept. of Health  
Duke Shewell, Interwest Corp.  
W. Bollschweiler, Hydrographer Commission, Wyoming  
Don E. Chase, Box Elder County Commission

Chairman Ferris Kunz called the meeting to order and welcomed members from the other states to Malad. He stated that it had been some time since the last Tri-State Negotiating meeting and understood that the Idaho Committee would have the discretion to call a meeting when it had something to present. "The items on today's agenda should create some thought and possibly some discussion," he said. Mr. Kunz introduced the Idaho's delegation; Mr. Marion Olsen introduced Utah's delegation; and Mr. Floyd Bishop introduced Wyoming's delegation.

Chairman Kunz then called on Dr. William Sigler, Head of Department of Wildlife Resources at Utah State University, to give a presentation on Bear Lake Management and its effect on Fish and Water Quality.

Dr. Sigler discussed Bear Lake history and possible changes that would occur if Bear Lake were drawn to a level that occurred in 1930's. A copy of his presentation is enclosed with the minutes.

Chairman Kunz introduced Mr. Dean Bischoff, Area Engineer, U.S. Bureau of Reclamation, Logan Development Office. Mr. Bischoff presented a summary of the results of the Bureau's study of costs of possible reservoirs at the Plymouth site on the Malad River. Summary tables of these costs from Mr. Bischoff's presentation are enclosed.

Mr. Harold Brown from the Soil Conservation Service presented a report of initial work on a study of the Bear River Basin by agencies of the U.S. Department of Agriculture.

Chairman Kunz read a Negotiating Proposal prepared by the Idaho Committee, then called a fifteen minute recess to allow the respective committees to caucus.

A discussion period followed the recess.

Mr. Robert B. Porter of Utah Power & Light Co. stated that he wanted to give the proposal more study but that he felt some resolution would have to be made of the conflicts between irrigation, recreation, flood control, summer homes, and power.

Mr. Cal Funk of Utah said that in general he was pleased with items listed. He asked if the proposal was intended to suggest completion of an overall basin plan before initiating serious investigation and possibly action on individual projects. Were individual projects to be investigated, such as Plymouth and East Cache, and perhaps initiated while reserving water for some of the other projects, such as Oneida and Caribou?

Mr. Kunz responded that Idaho feels an overall basin plan is needed but it probably would be developed in parts. He pointed out that some items presented in the proposal must be decided before the Committee can arrive at a basin plan or even a partial basin plan.

Mr. Cal Funk felt that each state should be able to go ahead on some projects and give them serious consideration, and see if people were willing to accept, fund, and construct them, before all questions are answered on all projects that are conceivable on the river.

Chairman Kunz said that these were items that could be discussed at future meetings. He stated that some elements of a plan could be resolved before the total picture was completed.

Mr. Funk also suggested that under this concept Wyoming could submit projects that fit into an overall basin plan rather than head for a certain storage allowance which may not necessarily relate to any specific project.

Mr. Floyd Bishop of Wyoming agreed except he felt the compact would have to be modified before projects could be built. Wyoming representatives stated that although Wyoming still has not constructed all of its allocated storage they have virtually reached the compact limit above Smith's Fork. Discussion followed regarding the relationship between construction of segments of the basin plan in Wyoming and the timing of compact modification.

Mr. Funk stated that the proposal had opened a tremendous possibility for the three state staffs to work together and that the technical subcommittee should go ahead and prepare specific recommendations.

Mr. Olsen said that the next meeting could be held on the same day as the Bear River Commission meeting which is April 17. The meeting site will be announced later by the Utah Committee.

Mr. Floyd Bishop said the general reaction of the Wyoming group was in agreement with the Idaho proposal statement, and commended the Idaho Committee for coming to grips with some of the problem in a form that the Committee could pursue and, hopefully, make some headway. They did have a few problems with some of the things said. He felt an agreement on a basin plan would be getting beyond the authority given the group. Mr. Bishop said the original charge was to pursue modification of the compact to provide for further development in the Bear River Basin. It would be an expansion of that charge to try to agree on details of all the projects within the basin. He doubted that the Committee would have any legal status to bind the basin plan. He felt, however, that it was worthwhile to come up with an agreement on a basin plan, that would satisfy all interests. Hopefully it would give impetus in getting public acceptance for whatever plan was agreed upon.

Chairman Kunz pointed out that whatever plan the committee came up with would only be a suggestion to each states' legislature.

Mr. Bishop expressed concern over the talk of piecemeal progression of projects. The only way that Wyoming could proceed with any of its objectives is through the modification of the compact. To modify the compact the basin plan would have to be pretty well spelled out so that compact provisions would reflect elements of the plan.

Mr. Dan Lawrence of Utah suggested preparation of an interim report would clear the question of authority raised by Mr. Bishop. Each state could then go back to their respective authorities and request authority to move on an overall basin plan.

Mr. Kunz said that the Idaho Committee feels they have that authority.

Mr. Bishop said they would participate in the pursuit of the proposals that have been made by the Idaho Group and hopefully we'll have some progress to report by the next meeting on April 17.

Mr. Bishop suggested that the Technical Subcommittee should get together to arrange for meetings to work on elements of the plan prior to the April 17 meeting.

The Bear River Negotiating Committee expressed appreciation for the contributions of Dr. Sigler of Utah State, Mr. Dean Bischoff from U.S. Bureau of Reclamation and Mr. Harold Brown of Soil Conservation Service. Appreciation was also expressed to Mr. Griff Jenkins for making arrangements for facilities for this meeting. The meeting was adjourned at 3:15 p.m.

DEVELOPMENT AT PLYMOUTH RESERVOIR (HIGH DAM)

Feature	Elevation	Length Area or Unit	Height and Size	Active Capacity	Total Capacity	Cost
Tunnel	4,405	13,000'	17' (horseshoe)	2,000 c.f.s.		\$16,173,000
Canal	3,996	17,000'	14' B. Width	2,000 c.f.s.		4,642,000
Pumping Plant	4,404			2,000 c.f.s.		5,879,000
Dam - No Spillway	4,418 Crest	9,600' Crest	110' Ht.	1,000 c.f.s. Outlet		8,791,000
Reservoir	4,404' w.s.	22,400 AC		445,000 AF	460,000 AF	
Relocation of Facilities						
U.P. Railroad		15.8 Mi.				
U.S. Highway 191		9.4 Mi.				
State Highway 90		3.1 Mi.				
County Roads		15.7 Mi.				
UP&L Transmission Line		13.8 Mi.				
Purchase of Wells		17 Ea.				
Replacing Springs & Wells		29 Ea.				
Reservoir Clearing						
Cost of Relocation						13,297,000
Right-of-way		24,134 AC				8,595,000
<b>TOTAL COST</b>						<b>\$57,377,000</b>















