

Bear River Basin Advisory Group
Meeting Record
Evanston, Wyoming
November 3, 2003

Welcome

Facilitator Sherri Gregory welcomed the group and the meeting was called to order at 6:08 p.m. All attendees introduced themselves, followed by a review of the overall meeting agenda. A sign-in sheet was passed around to record attendance. The next meeting is scheduled for March 22 in Cokeville.

Water Development Commission Report

Barry Lawrence updated the BAG on the status of the plans for the other basins. The BAGs for the Green and the Snake/Salt Basins will be meeting November 4 in Pinedale and November 5 in Afton. The BAG meetings for the Wind/Bighorn, Powder/Tongue and Northeast Wyoming Basins will be meeting November 18 in Cody, November 19 in Story, and November 20 in Newcastle. Barry discussed the status of all basin studies, and agendas for future meetings. Handouts from the prior meeting were distributed.

Wyoming's Water Development Program

Mike Besson, Director of the Water Development Commission (WWDC), discussed the responsibilities of the WWDC and presented an overview of each division: planning, construction, and river basin planning. The agency consists of 19 full time staff and one full-time contract person. In 1998, additional personnel were added to staff the basin planning efforts, including watersheds. The additional staff gives the WWDC the ability to share information and the opportunity to talk about issues that are pertinent to individual basins.

Other topics of discussion included the Small Water Project Program, Buffalo Bill Dam, the current drought in Wyoming, and the upcoming 2004 legislative session. Mike concluded his remarks by noting that the only way that his agency knows the concerns of the residents of the basin was through forums like these. For more information about the WWDC, visit the website at <http://wwdc.state.wy.us>

An Overview of the State Engineer's Office (SEO)

Harry LaBonde, Deputy State Engineer, presented an organizational chart of the office and discussed the responsibilities of the six divisions. The Surface Water and Engineering Division is responsible for reviewing permit applications for any request to put surface water to beneficial use as well as operating the Safety of Dams program. The Ground Water Division is responsible for reviewing and approving water well permits and managing a statewide cooperative stream gaging program. The Board of Control is responsible for the adjudication process on each water right and any changes to the adjudicated rights. The

Interstate Streams Division participates in a number of interstate river compact commissions and organizations and regional water programs. Two additional divisions include the Administrative Division, which handles the general agency administration and the Support Services Division, which manages all information technology functions for the agency. The State Engineer serves by statute as the secretary/treasurer for the Board of Registration for Professional Engineers and Land Surveyors. It was also noted that the newly established Water Well Drilling Contractors and Water Well Pump Installation Contractors Certification Board will be fully operational in 2005.

Current issues include permitting challenges in both the surface and groundwater divisions as related to coal bed methane development, the North Platte Decree Committee and Modified North Platte activities, and weather modification permitting activities. To obtain more information on the SEO, visit the website at <http://seo.state.wy.us>

Review of Season's Operations

Jade Henderson, Water Division IV Superintendent, gave an overview of the October 1, 2002 to September 30, 2003 water year. In the Upper Division, shortages were experienced which have not occurred for an extended period of time. Bear Lake is extremely low, with storage at 2.5 feet. Due to the level of Bear Lake, there will be automatic limitations, including Bear Lake, and upstream storage restrictions for the Woodruff Narrows and Sulphur Creek enlargements next spring. In 2003, article 6a of the Bear River Compact was imposed, which subordinates storage that was exempt from Bear Lake elevation restrictions to existing direct flow rights. This regulation benefited the lower Wyoming users, but impacted the upper Wyoming users. A meeting scheduled November 5 will discuss this regulation. Discussion followed.

Jade indicated that the Lower Division did not go through a water shortage, however, the central division also had experienced some shortages.

Cokeville Reservoir Level I Study

Dave Kennington, Sunrise Engineering, indicated that a reservoir above Cokeville on the Smith's Fork River has been proposed for the past 30 years for flood and erosion control, recreation, hydropower, and irrigation. Most of the studies were completed in the 1980's by the State of Wyoming and federal agencies. There are six potential reservoir sites, with the preferred sites being the Upper Teichert and the Smiths Fork. A key part of this study is the development of a reservoir model, which is based on the Bear River Compact and the State Allocation Plan. According to the State Allocation Plan, the maximum storage allocation is 14,520 acre-feet per year, which is achieved 15-20% of the time. The reservoir model indicates that a 20,000 acre-foot reservoir could be achieved at the lower four sites 80% of the time, as evidenced historically over a 59-year time frame. Downstream stakeholders, the State of Utah and PacifiCorp, are not interested due to historic low levels in Bear Lake.

Upcoming work will include the final reservoir site selection, a detailed economic analysis and the development of a financing plan. Discussion followed.

Progress on Bear River Total Maximum Daily Load (TMDL)

Chuck Harnish, Wyoming Department of Environmental Quality (DEQ), indicated that the State of Idaho is developing a TMDL water quality plan to deal with the stretch of the Bear River from the point at which it enters Idaho to a point at which it leaves the state. Nutrients and sediment do not have a numeric standard in Idaho, so a criterion to measure these two items at the Idaho-Wyoming state line is being set. Similarly, Wyoming doesn't have a standard either, and local efforts are underway to pre-empt the establishment of a TMDL for this stretch of the river. Chuck indicated that currently there are regulations about not exceeding a level that results in the development of slime or nuisance plants.

The Smith's Fork contributes half the sediment load. To reduce the sediment to acceptable levels there are many alternatives that include borrow pits for filtration, repairing riverbanks and establishing riverside tree populations. There will be town meetings when the results of Idaho's findings are announced. DEQ will review Idaho's proposals and make recommendations. Discussion followed.

Bear River Watershed Group

Gilbert Olson, Chairman of the Upper Bear River Water Quality Steering Committee, indicated that the group is composed of a variety of water users throughout the Bear River watershed. The group has just been formed and is currently formulating their mission statement and direction. The overall mission is to maintain and improve water quality, thereby preventing the need for regulated water enforcement action.

The meeting adjourned at 8:57 p.m.