

Presentation to Wind-Big Horn Basin Advisory Group

August 7, 2001



Sue Lowry

Director of Policy and Administration
Wyoming State Engineer's Office

Topics to Cover

- ❖ Background on Wyoming State Engineer's Office duties
- ❖ Overview of Wyoming Water Law
- ❖ Compacts affecting Wind/Big Horn basin of Wyoming

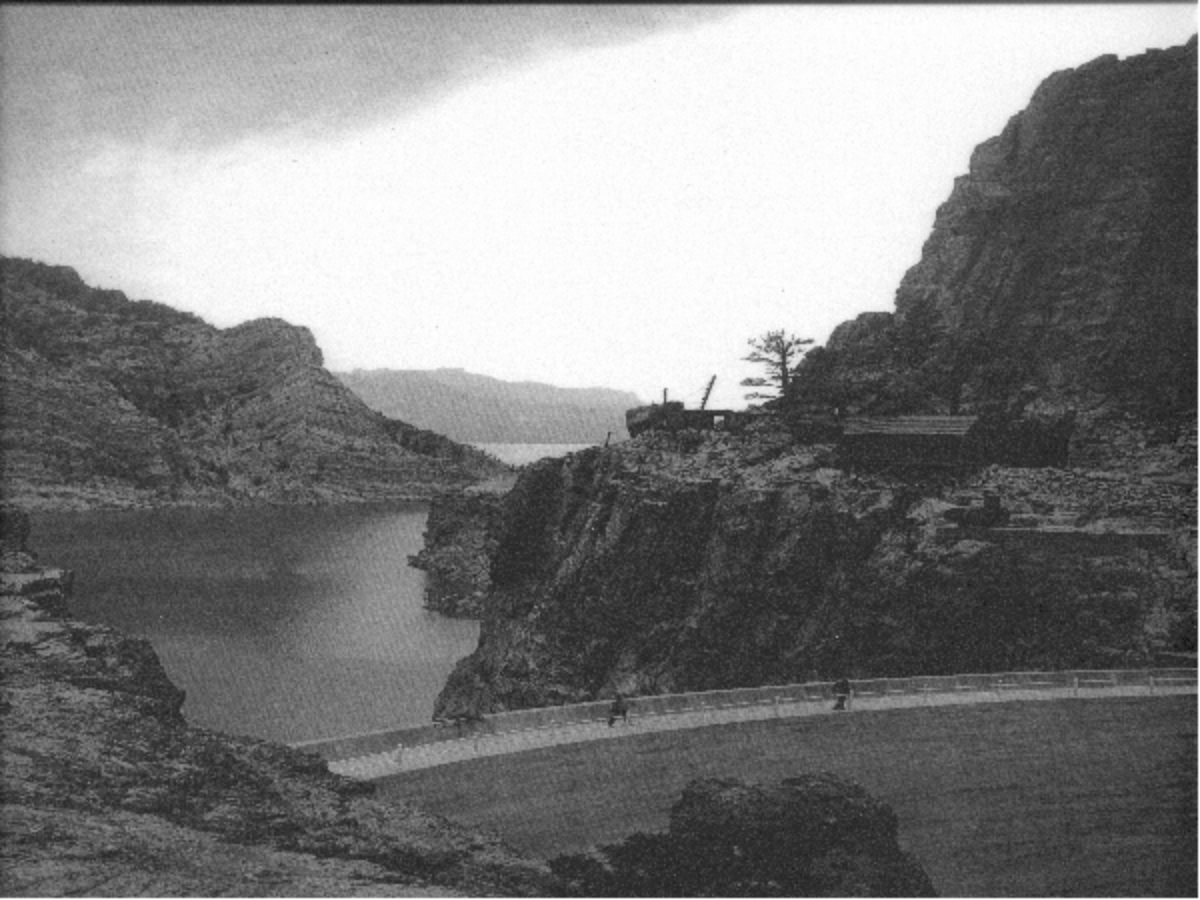
State Engineer's Office

- ❖ Water Rights have been issued since Territorial Times
- ❖ Agency responsible for the administration of water in the state
- ❖ Water designated the property of the state by the Constitution (Art. 8)



1383 JULY 30TH, 1916. DITCHING SUGAR BEETS U. S. JONES FARM WHEATLAND, WYO.







Elwood Mead while Wyoming State Engineer.

(1890-1899) (Wyoming State Museum)



An early day photograph of Hoover Dam discharging water from Lake Mead.



State Engineer's Office Organizational Chart



Functions of the SEO

- ❖ **Permitting and Regulatory Responsibilities**
- ❖ **Interstate Compact/Decree Administration**
- ❖ **Water Resource Data Collection & Distribution**
- ❖ **Water Education**

Application
Received
By Surface
Water or
Ground
Water
Division

Application is
reviewed by
Staff
And moves
to permit
stage if all
Is in order

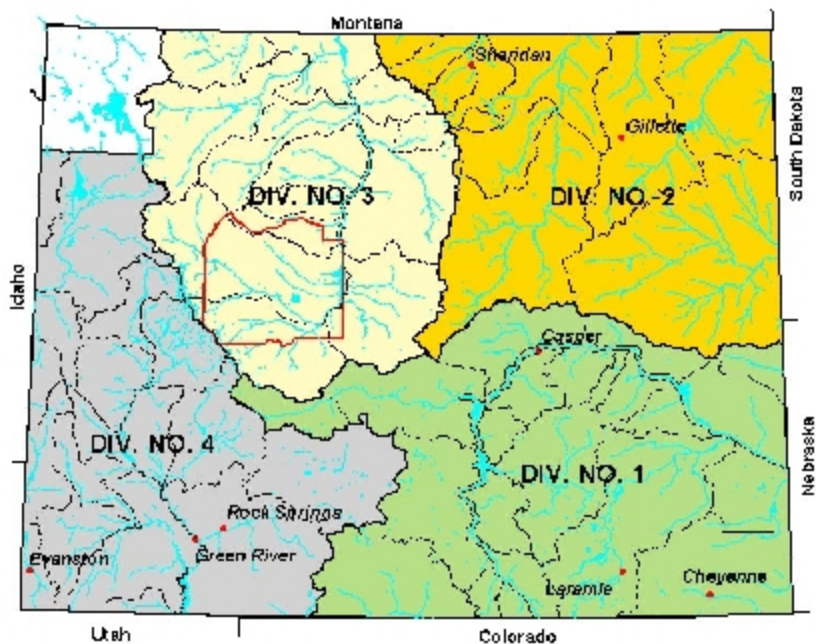
Once
water is
put to
Beneficial
use, proof
Is taken
by SEO
staff

Proof
comes
before
Board of
Control
for
adjudica
tion

Functions of the Board of Control

- ❖ Made up of 4 Water Division Superintendents & State Engineer
- ❖ Meet quarterly
- ❖ Act on adjudications, change in point of diversion, change in use, transfers of adjudicated rights

WYOMING

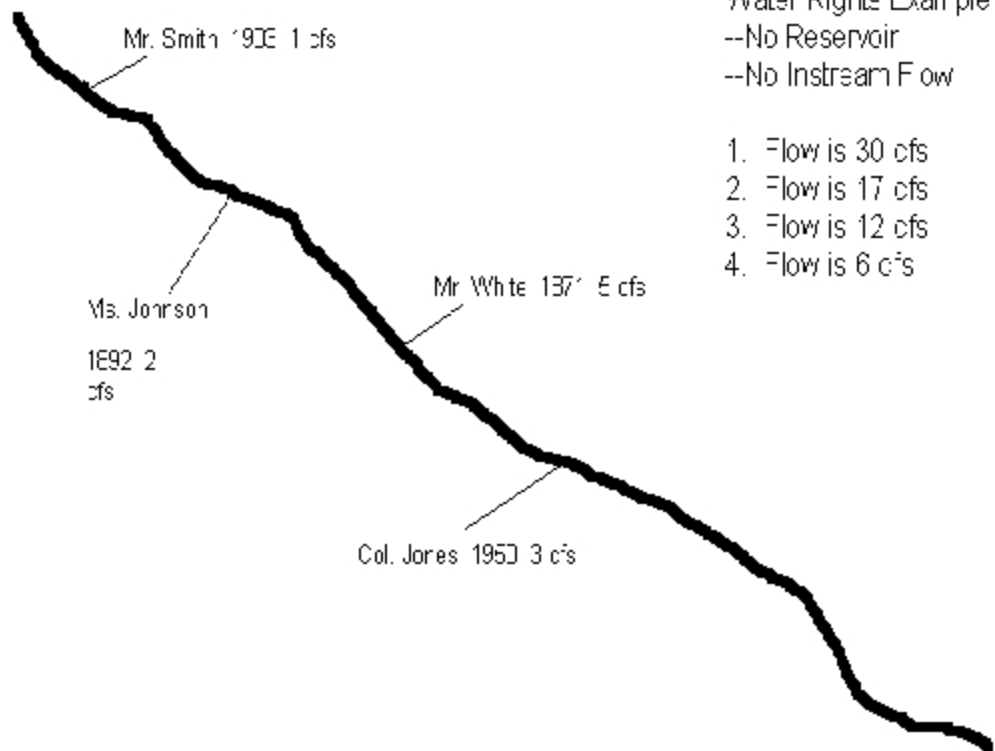




Water Rights Example

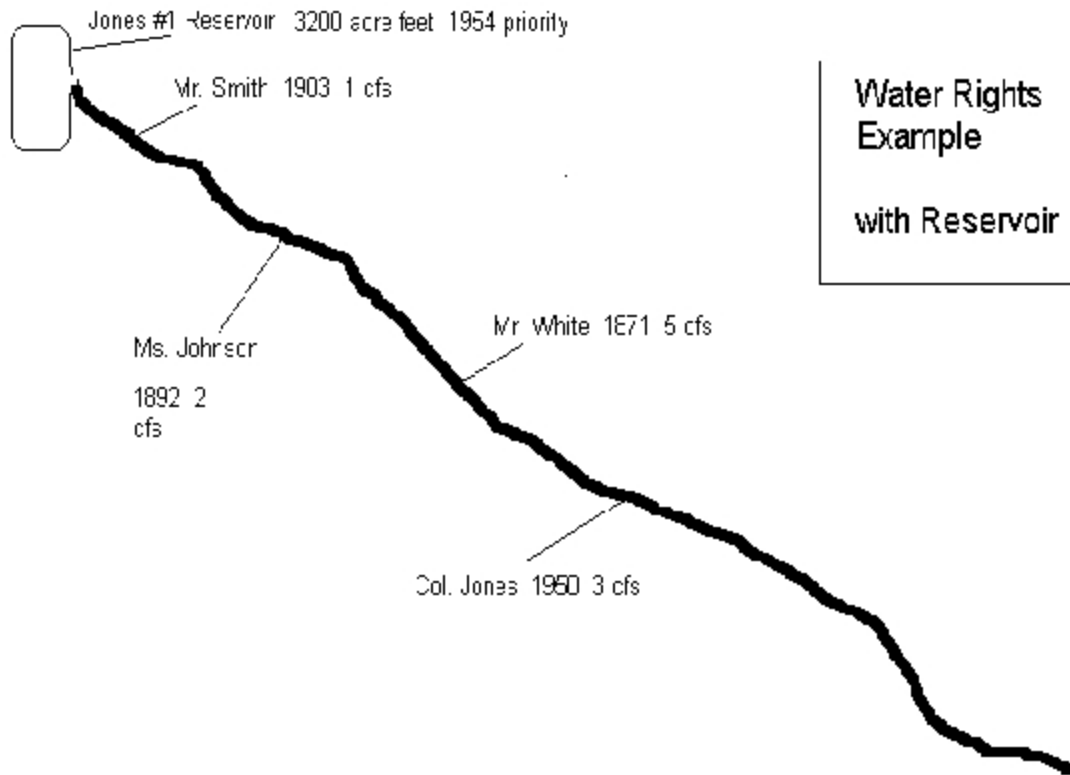
- No Reservoir
- No Instream Flow

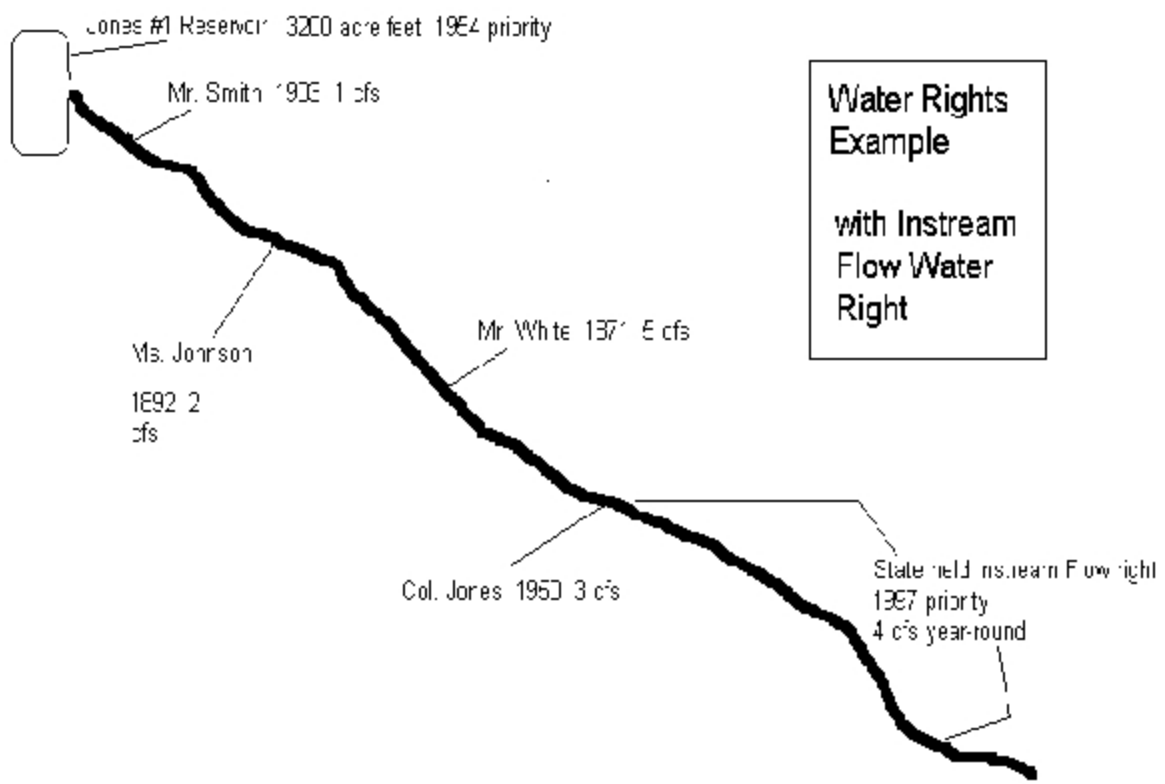
1. Flow is 30 cfs
2. Flow is 17 cfs
3. Flow is 12 cfs
4. Flow is 6 cfs



Water Rights Example

with Reservoir





Jones #1 Reservoir: 3200 acre feet, 1964 priority

Mr. Smith: 1933, 1 cfs

Ms. Johnson:
1892, 2
cfs

Mr. White: 1971, 5 cfs

Col. Jones: 1953, 3 cfs

State field irrigation flow right:
1987 priority,
4 cfs year-round

Interstate River
Compacts affecting the
Wind-Big Horn River
Basin

Wyoming River Basin Compacts and Decrees



Yellowstone River Compact in Wyoming



Volume 1
3/27/2014

Legend

- Cities
- Major Streams
- Lakes/Reservoirs
- Major River Basins



- Yellowstone River Compact, 1950
- Exceptions within the Yellowstone River Compact Area

Allocates the flows of the Powder, Tongue, Bighorn and Clark Fork Rivers (excluding Yellowstone National Park) between Montana and Wyoming.

0 60 Miles

Lambert Conformal Conic Projection



Yellowstone River Compact

- ❖ Allocates the flows of the Clarks Fork, Wind/Bighorn, Powder and Tongue Rivers (excludes the Little Bighorn)
- ❖ Recognizes all beneficial uses in place January 1, 1950
- ❖ Supplemental supplies to pre-1950 lands are exempt

Commission members

- ❖ One member from Montana and Wyoming appointed by the Governor
- ❖ Federal Chairman selected by the Director of the USGS
- ❖ Generally meet annually in late November or early December, rotating between Wyoming and Montana

Compact Allocations

❖ Clarks Fork

- ◆ Wyoming 60%
- ◆ Montana 40%

❖ Wind/Bighorn

- ◆ Wyoming 80%
- ◆ Montana 20%

Compact Allocations (con't)

❖ Tongue

- ◆ Wyoming 40%
- ◆ Montana 60%

❖ Powder

- ◆ Wyoming 42%
- ◆ Montana 58%

Current issues before the Commission

- ❖ Coalbed methane development
 - ◆ Water Quantity and Quality concerns
- ❖ Compact Administration
- ❖ Tribal Reserved Water Rights

Tribal Reserved Water Rights

❖ Montana Reserved Water Rights Compact Commission

◆ Northern Cheyenne

- ❖ Tongue River Reservoir Rehab

◆ Crow Tribe

- ❖ Compact ratified by MT. legislature











ingovers

The PIPING PLOVER Is Protected By the Endangered Species Act



YOU Can Help:

- *Respect posted/fenced nest sites.*
- *Keep pets leashed.*
- *Don't litter; it attracts predators.*
- *Don't linger near birds or nests.*

The Endangered Species Act Prohibits Harming or Disturbing the Piping Plover

Wyoming's participation in Missouri River Basin Association

- ❖ 8 states in the Missouri River basin plus Tribal representation through Mni Sose
- ❖ Master Manual Review and Update
 - ◆ Faster response during drought periods
- ❖ Final Biological Opinion completed by the Fish and Wildlife Service Nov. 30, 2000



Photograph 8. The pallid sturgeon links back to prehistoric times. It is well adapted to live in the large, turbid rivers like the Missouri, however, changes to the river habitats and hydrology have reduced or eliminated reproduction. In the upper river, only a few aging adults remain.

