

1999 Bear River  
Water Dist. 11 File

## MEMORANDUM

**To:** Tim Luke  
**From:** L. Glen Saxton *LS*  
**RE:** WATER RIGHT OWNERSHIP CHANGES - BEAR RIVER  
**Date:** January 11, 1999

Norm recently asked that we check into the names of water right owners which have been marked by Jody Williams to determine if changes really are appropriate. The names shown in capital letters on Water Delivery Schedule No. 1 are Idaho water rights and the smaller case names are Utah water rights. Attached is a listing of the names and addresses of apparent new owners.

I'm not sure how to check out the changes suggested by Jody. Perhaps we could first contact the watermaster, Pete Peterson to determine if he already has updated the ownership of the rights in his records. We do not want to rely upon Peterson, however, to do the review work, since it would never get done. If Peterson does not have the changes in his records, we need to contact the apparent new owners and request information from them to show that they, in fact, own the water right, then make appropriate changes.

Norm also advised us not to be concerned about past timeliness of IDWR response, i.e. that Jody's letter is dated November 11, 1998, and that we are starting to check out the changes in January 1999.

Please feel free to discuss this project with me if you wish.

# Water Delivery Schedule No. 1

## Lower Division Main Stem Bear River

852-3233

WATER RIGHT	NOTE	PRIORITY YR M D	FLOW (CFS)	OWNER
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\* denotes diversion shared with other water right(s)

1 water rights not included in accounting models

2 ~~water rights which can only divert when the river stage is high, not included in the accounting models (footnote to be deleted)~~3 ~~water right for winter use only, this footnote to be changed to footnote 2 which is to be deleted~~P ~~power right~~

**KRUSE, LANDA & MAYCOCK, L.L.C.**

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50 WEST BROADWAY (300 SOUTH)  
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**FACSIMILE TRANSMISSION SHEET**  
Xerox 7032 (CCITT Group 2 and Group 3)  
(801) 359-3954

DATE: October 22, 1998

TIME (MDT): \_\_\_\_\_

MESSAGE TO: Norm YoungFIRM: Idaho Department of Water ResourcesFAX NUMBER TRANSMITTED TO: 1-208-327-7866

NO. OF PAGES (INCLUDING THIS COVER SHEET) \_\_\_\_\_

FROM: Jody L. WilliamsKLM CLIENT FILE NO: 7017.09

**FOR QUESTIONS AND/OR PROBLEMS WITH RESPECT  
TO THIS FACSIMILE TRANSMISSION  
PLEASE CONTACT:**

Barbara Wallin

AT (801) 531-7090

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|---|--|
| <input type="checkbox"/> FOR YOUR INFORMATION   | <input type="checkbox"/> FOR NECESSARY ACTION                    |
| <input type="checkbox"/> FOR REVIEW AND COMMENT | <input type="checkbox"/> ORIGINAL TO FOLLOW BY STANDARD MAIL     |
| <input type="checkbox"/> PER OUR CONVERSATION   | <input type="checkbox"/> ORIGINAL TO FOLLOW BY OVERNIGHT COURIER |
| <input type="checkbox"/> PER YOUR REQUEST       | <input type="checkbox"/> SEE COMMENTS BELOW                      |

COMMENTS/SPECIAL INSTRUCTIONS:

IDAHO LIST	IDAHO LIST	IDAHO LIST	IDAHO LIST
Elsie E. Bastian	13-7047 / 13-7069	P O Box 87	Weston, ID 83286
David Coombs	13-00960B	P O Box 380066	Ivans, UT 84738
David E. Skabeland	13-00960B	1265 Cliffside Dr.	Logan, UT 84320
Robert Henderson	13-7254	3655 North 1600 East	Preston, ID 83263
Keith Hodges	13-07081	2082 W. Hot Springs Rd	Preston, ID 83263
Wheeler Ranch	11-0558 / 11-0618 11-0619 / 11-0620	336 River Road	Grace, ID 83241
Floyd Jensen	13-02148 / 13-07129 / 13-02253	1580 West 3200 South	Preston, ID 83263
Estate of Ben Johnson	13-04299	136 No. 1st West	Preston, ID 83263
Reed Kunz	11-01107		Bern, ID 83220
Dean Kunz	11-01117		Bern, ID 83220
Wayne Kunz	11-01099	866 Adams	Montpelier, ID 83254
Bruce Lamont	13-04107 / 13-04244	3523 South 1600 West	Preston, ID 83263
Alex Inglet	13-04278	3998 South 1600 West	Preston, ID 83263
Conrad Nebeker		2554 Monroe	Ogden, UT 84407
Grove M Phelps & Son's Partnership	11-01105	128 S Main	Bennington, ID 83254
Lyle C. Stephens	c/o Roger L. Stephens	176 W 600 North	Logan, UT 84321
Clyde Cook	11-04033	71 North 100 West	Cedar Fort, UT 84013
George Wanlass	13-00960D	91 River Road	Thatcher, ID 83283
L. Jr. White	13-00960F	1748 Cedar View Rd	Soda Springs, ID 83276
Carroll Whitney	13-4235	Box 253, RR#1	Weston, ID 83286
Leon Hardcastle	11-01103	655 North 8th East	Preston, ID 83263
Charles Knuz		23 North	Bern, ID 83220
Randy Panter	13-02128B	14885 North Hwy 34	Thatcher, ID 83283
Lawrence Fox	13-02128B	16205 North Cleveland Rd	Preston, ID 83263
Steven Bobka		3239 So 1600 West	Preston, ID 83263
Riverdale Preston	13-00971 / 13-00972 / 13-00973	3659 North 1600 East	Preston, ID 83263

Irrigation Co			
Gentle Valley Canal Company	13-00964 / 13-00965 13-00959 / 13-00966	P O Box 257	Grace, ID 83241
Thatcher Irrigation Company	13-00960E / 13-00961	35 River Rd.	Grace, ID 83241
Riverdale Irrigation Company	13-00973	3655 North 1600 East	Preston, ID 83263
Terry Porter	13-07048 / 13-07069	1933 East 3700 North	Preston, ID 83263
Bertis L & Anna E. C. Embry		1304 East 17th North	North Logan, UT 84321
Reed Kurz	11-01107	118 Reeds Lane	Bern, ID 83220
Kent Foster	Holden, Kidwell, Hahn & Crapo P.L.L.C.	350 Shoup Avenue, Third Floor	Idaho Falls, ID 83405
Riverdale I.C.	13-00971	3655 No 1600 East	Preston, ID 83263
Bear Lake State Park	c/o Kirk Rich	Statehouse Mail	Boise, ID 83720
Joseph D. & Debra R. Seamons		4584 West Sam Fellow Rd	Benson, UT 84335

# Water Delivery Schedule No. 1

## Lower Division Main Stem Bear River

*copy is flake*  
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WATER RIGHT	NOTE	PRIORITY YR	M	D	FLOW (CFS)	OWNER
11-01012		1889	6	1	1.6	ALLEMAN, L.
13-00966		1879	5	1	2.2	GENTILE VALLEY (HARRIS, A. W.)
25-6299		1880	05	01	3.0	» Reese, Lee
25-6300		1880	05	01	1.5	» Reese, Lee
25-7522		1880	05	01	0.5	» <del>Reese, Tom</del> change to <del>Jennie P. Reese</del> Bert D. Reese + Sons, Inc.
13-00970		1880	5	1	6.5	» NELSON DITCH CO.
13-00969A		1882	5	1	3.5	SMITH-BOSEN
13-00969B		1882	5	1	2.0	W. SMITH PUMP
13-00973		1882	5	1	13.0	» RIVERDALE PRESTON IRRIGATION CO. delle "Preston"
13-00621		1883	5	7	0.8	» HOGAN, DEANS. WHEELER RANCH
13-00971		1883	6	10	3.0	» RIVERDALE PRESTON IRRIGATION CO.
13-00875		1883	7	10	5.0	» WEST CACHE IRR. CO. (BATTLE CREEK)
13-00681B		1884	5	2	1.0	» HOGAN, DEANS. WHEELER RANCH
13-00682B		1884	5	2	0.5	» HOGAN, DEANS. WHEELER RANCH
13-00683		1884	5	2	0.5	» HOGAN, DEANS. WHEELER RANCH
29-2856		1889	03	01	333.0	» Bear River Canal Company
11-00254		1889	5	1	24.0	BUDGE LAND & LIVESTOCK CO.
11-00255		1889	5	1	2.0	BUDGE LAND & LIVESTOCK CO.
11-00256		1889	5	1	2.5	BUDGE LAND & LIVESTOCK CO.
13-00959		1889	6	1	33.0	» GENTILE VALLEY IRRIGATION CO. LTD.
13-00953	1	1889	7	30	4.0	JOHNSON, E. P.
25-7523		1889			0.5	» <del>Reese, Jennie</del> Bert D. Reese + Sons, Inc.
29-1912	1	1890			30.0	Bear River Silt Lands Company
25-6467		1894	05	01	0.5	» Goodwin, Robert W. Elmer Goodwin Trust / Warren D. Cathy Hughes
25-6881		1894	05	01		Sorensen, Gary change to Valoran A. & Colleen L. Samuelson
13-00954	1	1895	3	21	2.4	WISER PUMP
29-3481		1896	08	12	4.5	Gilbert, Robert
13-00991C		1897	3	1	200.0	» LAST CHANCE CANAL CO. LTD.
13-00964		1898	8	31	1.0	» GENTILE VALLEY (ELLSMORE)
13-00965		1898	8	31	0.9	» GENTILE VALLEY (HARRIS)
25-3505		1899	09	12	1.5	» Munk Jorgensen Pump Company
13-00974		1899	9	12	186.0	» WEST CACHE IRRIGATION CO.
11-00253		1900	5	1	1.5	ALLEMAN, L.
13-00960B		1901	2	23	2.8	» SKABELAND, DAVID
13-00960D		1901	2	23	2.0	» WANLASS PUMP
13-00960E		1901	2	23	26.2	» GENTILE VALLEY (THATCHER IRR. CO.)
13-00960F		1901	2	23	4.2	» WHITE, LOYAL W. change to DAVID SKABELAND
29-2857		1901	5	14	133.0	» Bear River Canal Company
13-00992C		1901	5	14	240.0	» LAST CHANCE CANAL CO. LTD.
29-3898	1	1902			(2000 AF)	US Fish & Wildlife Service
29-3739	1	1902			75.2	Bear River Club

*have contracts*

# Water Delivery Schedule No. 1

## Lower Division Main Stem Bear River

WATER RIGHT	NOTE	PRIORITY YR	M	D	FLOW (CFS)	OWNER
13-00972		1902	6	10	6.5	» RIVERDALE PRESTON IRRIGATION CO.
29-1855	P	1903	12	01	270.0	Pacificorp dba Utah Power (Cutler)
13-00961		1904	4	18	12.0	» GENTILE VALLEY (BARTLOME)
29-2633		1904	06	01	95.0	» Bear River Canal Company
11-02006	1	1905	10	5	0.8	DREWERY, HARRY
13-00957	P	1905	12	28	500.0	UTAH POWER & LIGHT CO. (Grace)
29-2146	P	1906	12	01	135.0	Pacificorp dba Utah Power (Cutler)
13-00958	P	1908	7	6	500.0	UTAH POWER & LIGHT CO. (Grace)
29-2147	P	1908	12	01	135.0	Pacificorp dba Utah Power (Cutler)
13-00955		1909	8	9	138.2	BENCH B CANAL
13-00956		1909	12	31	25.6	BENCH B CANAL
13-00967	P	1910	6	17	1000.0	UTAH POWER & LIGHT CO. (Oneida)
11-00262		1910	7	29	54.0	» LAST CHANCE CANAL CO.
13-00968	P	1911	1	18	1500.0	UTAH POWER & LIGHT CO. (Oneida)
11-00248		1911	3	1	3000.0	UTAH POWER & LIGHT CO. (Stewart)
11-00249		1912	9	11	2500.0	UTAH POWER & LIGHT CO. (Stewart)
29-2148	P	1912	12	02	500.0	Pacificorp dba Utah Power (Cutler)
29-2858		1914	05	01	43.0	» Bear River Canal Company
13-02310	1	1914	5	6	0.3	OREGON SHORT LINE RAILROAD CO.
13-02066		1914	12	11	100.0	» CUB RIVER IRRIGATION CO.
25-3031		1915	05	04	2.0	» Larson, Leland U. & Joanne R.
25-5132		1916			6.0	» West Cache Irrigation Company
25-7045		1916			4.0 *	» Hoffman, A. Alton (etux)
25-7046		1916			*	» <u>Thain, Paul change to Thain Dairy, Inc.</u>
13-00962	P	1916	3	9	1500.0	UTAH POWER & LIGHT CO. (Cove)
<u>13-00963</u>	P	<u>1916</u>	<u>3</u>	<u>9</u>	<u>(4000 AF)</u>	<u>UTAH POWER &amp; LIGHT CO. (Cove)</u>
25-8236		1916	06	15	3.0	» Munk Jorgenson Pump Company
25-6322		1917	05	01	3.0 *	» Munk, Robert A.
25-6323		1917	05	01	*	» Tarbet, George (estate)
26-6324		1917	05	01	*	» Fisher, John Lee
25-6915		1917	05	01	2.0 *	» Reese, Lowell S.
25-6939		1917	05	01	*	» Ballard, R. Mel Roy
25-6914		1917	05	01	2.0	» Allen, John E.
25-6910		1917	05	01	2.0 *	» Ballard, R. Mel Roy
25-6911		1917	05	01	*	» Ballard, M. Landell / <i>Todd Ballard</i>
25-6912		1917	05	01	*	» Ballard, Nolan R.
25-6913		1917	05	01	*	» Ballard, Kenneth R.
25-6318		1917	05	01	7.0 *	» Benson-Bear Lake Irrigation Company
EX 581		1917	05	01	*	» <del>Lee Johnson</del> Morval Johnson / Nick Galloway / Kimber Johnson
EX 802		1917	05	01	*	» <del>W. D. Johnson</del> Cecil Archibald
EX 1194		1917	05	01	*	» Jim Watterson

*Are these covered by last change?*

# Water Delivery Schedule No. 1

## Lower Division Main Stem Bear River

WATER RIGHT	NOTE	PRIORITY YR	FLOW M	D (CFS)	OWNER
25-8346		1917 05 01		*	* <del>Sam Hilton</del> Paul Cardon
25-5087		1917 06 15	5.0		* King Irrigation Co.
25-6890		1917 07 06	4.9	*	* <del>Spackman, Perry, et al.</del>
25-6891		1917 07 05		*	* Butters, Lloyd
25-6892		1917 07 05		*	* <del>Spackman, LeRoy change to Robert L. Spackman &amp; Lloyd Butters</del>
25-6893		1917 07 05		*	* <del>Spackman, Robert L. and Linda T.</del>
29-995		1917 08 02	2.0		Lazy "B" Cattle & Land Company
29-1589		1917 08 02	3.5		Anderson, Verl H.
25-6624		1918	3.0		* <del>Goodwin, Robert W.</del> Elner Goodwin Trust
25-6626		1918 05 01	3.0	*	Utah Power & Light (Irr.)
25-6627		1918 05 01		*	* Simmonds, Jerry
25-6628		1918 05 01		*	* <del>Simmonds, Grant change to Jerry Simmonds</del>
25-9944		1918 05 01		*	* <del>Brough, Laura</del>
25-6625		1918 05 01		*	* Pitcher, Larry
25-3517		1918 05 01	6.0	*	* <del>Hoffman, A. Alton (etux)</del> Robert Munk
25-6908		1918 05 01		*	* <del>Cronquist, Heber Carl (Larry Falslev) change to Larry Falslev</del>
25-6909		1918 05 01		*	* Falslev, Rulon
29-993	1	1918 09 04	0.2		Whitaker, Lloyd N.
25-6925		1919	4.0		* Hill Irrigation Company
25-3040		1919 05 01	1.5	*	* <del>Goodwin, Robert W.</del> Elner Goodwin Trust / Warren D. & Cathy Hughes
25-6882		1919 05 01		*	<del>Sorensen, Gary change to Valoran A. &amp; Colleen L. Samuelson</del>
25-7441		1919 05 01	0.2		Pitcher, Larry
25-4523		1919 06 01	1.2		* Smithfield West Bench Irrigation Company
25-8332		1919 06 01	0.7		* Hansen, W. A. & Lucinda (Jr.)
25-8178		1919 06 01	1.7		* <del>Larkin, Coe R. (Trustee) change to Clair &amp; LaRon Larkin</del>
25-8167		1919 06 01	0.8		* Marchant, A. George, et ux
25-8723		1919 06 01	0.8		* Wheeler, Allen
25-6319		1919 06 01	0.9		* Falslev, Larry
25-6320		1919 06 01	1.6		* Falslev, LaRon
29-996		1919 12 09	3.0		Worwood, Garry and Barbara, J.T.
29-1539		1920 01 07	1.1		Petersen, Earl Lewis
29-1001		1920 02 17	3.5		Holmgren & Anderson
25-3041		1920 03 03	3.0		* Larson, Leland U. & Joanne R., Ronald Larsen
25-6301		1920 05 01	2.0		* Griffiths, Robert
25-3518		1920 06 01	2.2		* <del>Wood, Walter L. (etux)</del> Charles Wood
29-1003		1920 06 08	1.9		Thompson, Robert Neil & Gayla S.
29-1789		1920 06 08	1.9		Fridel, Keith R.
29-2649		1920 06 08	1.9		Thompson, Lindon
25-6917		1920 06 12	2.0		* Wood Irrigation Company
25-6923		1920 06 17	2.5		Wheeler, Ray H. (etux)
25-5977		1922	2.5		* Falslev, Harold N.



# Water Delivery Schedule No. 1

## Lower Division Main Stem Bear River

WATER RIGHT	NOTE	PRIORITY YR	M	D	FLOW (CFS)	OWNER
11-02081	P	1922	6	12	1500.0	UTAH POWER & LIGHT CO. (Soda)
29-1506	P	1923	12	19	2500.0	Pacificorp dba Utah Power (Cutler)
29-991		1924	09	13	1.2	Ferry, Miles Y. (Todd Yeates)
29-1010		1925	06	22	3.5	Hansen, Wesley R. (Royal Norman)
29-2149		1925	07	22	1.5	Hatch, Amos E.
29-2451		1925	07	22	2.5 *	Canadian Goose Club
29-2452		1925	07	22	*	Thompson, Grant L.
29-2453		1925	07	22	3.5	Barker, DeVerl
13-02111	1	1926	3	29	0.2	NELSON, TAYLOR
25-7047		1927			2.0 *	» Ballard, R. Mel Roy
25-7049		1927			*	» Reese, Lowell (Estate)
25-7048		1927			2.0	» Allen, John
29-1014		1928	11	11	1000.0	USA Fish & Wildlife Service
29-238		1928	12	14	3.0	Barfus, Phil
25-3058		1929	06	10	1.0	» Munk, A. Robert
25-7813		1930			2.5	» Wheeler, Regan
25-6023		1932	03	00	2.3	» Watterson, Joseph R. James
13-02148		1943	03	09	0.3	» JENSEN, FLOYD
11-01102	1	1945	6	1	3.0	LOVELAND, RICHARD
25-3264		1955	10	08	1.9	» Allen, John E.
25-3266		1955	10	11	(72 AF)	» Spackman, LeRoy
25-9827	1	1955	10	11	2.0	Utah Power & Light (Irr.)
29-1169		1955	10	25	1.9	Cutler, Newell B.
25-3259		1955	11	10	3.0	» Rigby, William F. change to J. Murray & Arlene T Rigby
25-3260		1955	11	10	3.0	» Rigby, J. Murray
29-1177		1955	12	21	1.5	McMurdie, Clifford H.
11-01101		1956	6	1	1.6	WALLENTINE, CLOYD
29-1178		1956	01	14	3.0 *	Hammons, Sherie Rae
29-1180		1956	01	14	*	Hammons, Sherie Rae
29-1179		1956	01	14	*	Hammons, Sherie Rae
29-1183		1956	05	11	2.0	Lazy "B" Cattle & Land Company
25-3296		1956	07	23	3.0	» Falslev, Larry J.
29-1195		1957	03	29	2.0	Selman, Harold
25-3311		1957	09	04	2.0	» Falslev, Harold N.
29-1200		1957	09	18	1.5	Peterson, Earl Lewis
29-1215	1	1958	12	02	2.0	Adams, Golden V.
29-1187	1	1959	08	20	1.0	Haycock, Warren C. & Norma H.
29-2632	1	1959	08	20	1.0	Payne, DeVerl and Irene I., Trustees
25-3358		1960	01	06	2.0	» Rigby, Golden H.
29-1263		1960	03	10	1.8	Hansen, W. Eugene & Jeanine S.
11-01103		1960	6	1	1.5	HARDCASTLE, LEON

## Water Delivery Schedule No. 1

### Lower Division Main Stem Bear River

WATER RIGHT	NOTE	PRIORITY YR M D	FLOW (CFS)	OWNER
25-3379		1960 08 29	2.0 *	» Johnson, Norval
25-3461		1960 08 29	*	» <del>Johnson, Norval change to W.D. Johnson</del> Nick Galloway
25-3462		1960 08 29	*	» <del>Johnson, Norval change to Lee Johnson</del>
25-3382		1960 09 27	3.1	» Bullen, Eva J. and Betty Bullen Knight
29-3609		1966 01 11	10.0	Bear River Silt Lands Company, et al.
25-4550	1	1966 04 04	3.0	<u>Neeley, Lewis H. change to Larry Falslev</u>
29-1483		1966 04 20	3.0	Richards, Lynn H. & Christy H.
25-4647		1966 07 12	2.0	» Reese Clark Pump & Irrigation Company
13-07129		1967 04 10	2.0	JENSEN, FLOYD
25-4911	1	1969 06 06	0.7	» Gossner, Edwin O.
29-1647		1971 07 06	2.0	J. Y. Ferry & Sons (Incorporated)
13-07048		1973 6 21	1.8	» PORTER, TERRY
25-8017		1973 07 26	2.0 *	» Jean S. Nelson Trust, et al
25-9828		1973 07 26	*	Utah Power & Light (Irr.)
25-6083		1973 12 07	0.5	» Pitcher, Larry
13-07069		1974 1 14	1.0	» PORTER, TERRY
25-6167		1974 03 19	1.5	» <u>Larkin, Coe R. change to Clair &amp; LaRon Larkin</u>
29-1898		1974 07 25	1.0	Fridal, Keith
13-07081		1974 07 31	0.6	» HODGES
25-6262		1974 09 17	2.5	» Cowley, <del>Joseph E.</del> June
25-6274		1974 11 05	0.0	» Reese, Lee
25-6349	1	1975 03 07	0.8	» Hansen, Willard A. (Jr.)
25-6366	1	1975 04 17	2.8	» Western Dairymen Cooperative Inc.
25-6691		1975 11 03	3.8	» Bullen, Reed
25-6838		1976 03 16	1.8 *	» Butters, Lloyd et ux has contract
25-8211		1976 03 16	*	<u>Spackman, LeRoy change to Robert L. Spackman &amp; Lloyd Butters</u>
25-8212		1976 03 16	*	<u>Spackman, Robert L. change to Perry Spackman, et al.</u>
25-8213		1976 03 16	*	» <u>Spackman, Vaughan change to Robert L. and Linda T. Spackman</u>
29-2034		1976 04 02	1.0	Selman, Harold (Inc.)
25-6852		1976 04 16	0.4	Utah Power & Light (Irr.)
25-6855		1976 04 21	2.0	» M. J. & H. W. Ballard Pump
25-6856		1976 04 21	0.2	» Ballard, Mel Roy
25-6861		1976 05 04	2.0	» <del>Hoffman, A. Allen</del> Robert Munk has contract
25-6874		1976 05 21	1.7	» <u>Thain, Paul change to Thain Dairy Inc.</u>
25-6975		1976 07 20	0.5	Larson, Leland U. & Joanne R., Ronald Larson
25-6978		1976 07 23	2.0	» Marchant, Raymond V.
25-7162		1977 02 02	1.1	» Dorius, Weeks, and Taggart
25-7174		1977 02 15	0.7	» Griffin, Duane W.
25-7329		1977 03 31	0.5	» Benson, <del>Dee V.</del> Janice
25-6868		1977 10 22	2.0	» <u>Hansen, Orris Mae change to Wilson Kalmar Robbins Trust</u>
25-8015	1	1979 06 13 (24 AF)		» Dorius, Floyd Family Trust has contract

## Water Delivery Schedule No. 1

### Lower Division Main Stem Bear River

WATER RIGHT	NOTE	PRIORITY YR	FLOW M D (CFS)	OWNER
25-8128		1980 02 04	3.4	» Rich & Rich (C/O Wayne R. Rich)
13-07279		1980 5 3	25.0	» CUB RIVER IRRIGATION CO.
13-07288	P	1980 5 30	440.0	» LAST CHANCE CANAL CO. LTD.
25-8183		1980 07 22	1.6	» Rich & Rich
29-2549	S	1980 12 22	150.0	» Bear River Canal Company
13-07297	P	1981 2 11	220.0	LAST CHANCE CANAL CO. LTD.
25-8263		1981 03 24	4.0	» Munk, A. Robert
25-8268		1981 04 09	1.5	» Seamons, <del>Russell S.</del> Joseph and Debra
25-8272		1981 04 14	1.5	» Lindley, William
29-2725		1981 04 22	50.0	» Bear River Canal Company
25-8297		1981 06 23	0.7	» Benson, <del>Bate</del> Janice
25-8389		1982 06 10	2.0	» Rasmussen, Max J. Family Trust
25-8397		1982 07 26	3.0	» Munk, Robert
29-2976	P	1983 10 28	900.0	» Bear River Canal Company
25-8724	1	1986 03 11	1.8	» Wheeler, Allan
29-3321		1987 06 11	300.0	» Bear River Canal Company
25-8949		1988 12 21	1.5	» Archibald, Cecil
25-8991		1989 05 24	2.0	» Rigby, Mark L.
25-9014		1989 10 20	6.0	» Stewart, Paul
25-7323		1990 08 29	5.0	» Rasmussen Farms — lapsed, delete from list <i>Delete</i>

Idaho unadjudicated claimed rights which only receive natural flow when the river is not in regulation, but which thereafter receive stored water under contracts with ~~Utah Power~~ *PacificCorp*

- » INGLET, ALEX P.
- » ~~JOHNSON, B.~~ to be deleted?
- » LAMONT, BRUCE
- » STEPHENS, LYLE C. to be changed to Clyde Cook

*Add PacificCorp's \$243 claims*

Water users who do not receive main stem Bear River natural flow but who do have contracts with ~~Utah Power~~ *PacificCorp* for stored water which is diverted from the main stem of the Bear River. Such use of stored water will be regulated pursuant to contracts and storage allocations to protect main stem Bear River natural flow water rights.

- » FOSTER, RON to be added to list
- » PANTER, RON to be changed to Lawrence Fox
- » KUNZ, D. to be deleted? *Delete*
- » KUNZ, S & R. to be deleted (they claim no storage usage - Ovid Creek issue) *Delete*
- » TWIN LAKES PUMPS. to be removed from the box (no longer has contract) *Delete*
- » WHITNEY, C. (move to box above) — OK to move
- » *Phelps, Grove*

Diversion and use of Bear Lake storage water by PacificCorp or its lessees on lands owned by PacificCorp which do not have a main stem Bear River natural flow water right

PACIFICORP - KUNZ, CHARLES  
PACIFICORP - KUNZ, PARLEY  
PACIFICORP - KUNZ, PAUL  
PACIFICORP - SODA GOLE

**Notes:** Owners appearing in upper case letters divert water in Idaho and those with lower case letters divert water in Utah.  
» denotes holder of storage contract with Utah Power

MEMORANDUM

TO: KARL DREHER AND HAL ANDERSON

FROM: NORM YOUNG *NY*

RE: PROPOSED CHANGES TO APPENDIX B OF LOWER DIVISION  
PROCEDURES

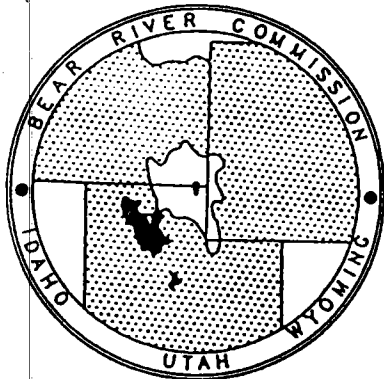
DATE: September 3, 1998

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The change to Appendix B, Paragraph C, could be interpreted to prevent the use of Bear Lake storage as mitigation for ground water or other rights affecting the flow of the main stem of Bear River. Perhaps the existing wording already does this, but given the statement in Jack's letter that the amendment is intended to clarify that Bear Lake storage can only be used by contract holders on the main stem, the proposed change seems to be contrary to our efforts to create and use a Bear Lake Rental Pool for mitigation of existing and new uses.

*Norm,*  
*None of this was*  
*put together with*  
*much consideration*  
*of a water Bank.*  
*Should we add*  
*specific language*  
*to provide for*  
*banking if one*  
*is implemented?*





# BEAR RIVER COMMISSION

106 West 500 South, Suite 101  
Bountiful, UT 84010-6232  
(801) 292-4662  
(801) 524-6320 (fax)

MEMORANDUM BR98-58

RECEIVED

AUG 31 1998

TO: The Operations Committee

Department of Water Resources

FROM: Jack A. Barnett, Engineer-Manager

SUBJECT: TAC PROPOSED MINOR CHANGES TO APPENDIX  
B OF THE LOWER DIVISION PROCEDURES

DATE: August 25, 1998

## COMMISSION MEMBERS

### Chair

Denice Wheeler

### Idaho Members

Karl J. Dreher  
Rodney Wallentine  
Don W. Gilbert

### Utah Members

D. Larry Anderson  
Blair Francis  
Charles W. Holmgren

### Wyoming Members

Gordon W. Fassett  
James Crompton  
John A. Teichert

## ENGINEER-MANAGER

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

Pursuant to the direction given by the Commission at the April Commission meeting, the TAC recently met and discussed in great detail the comments which the Commission has received regarding Appendices B & C of the Lower Division Procedures. Many of the comments received were duplicative of one another, and some did not directly apply to the appendices of the procedures. However, several of the comments did show a need for improvement or clarity to portions of Appendix B. Additionally, the Management Committee has asked that we prepare draft letters for their review which will be sent to all commentors on the Lower Division Procedures thanking them for their comments and providing a reaction to their comments. Information concerning these letters will be conveyed to you under a separate cover. Additionally, once the states have had time to make a final review of the comments on Appendix C (the water delivery schedule), we will forward to you for your review proposed changes, if any, to this list.

The TAC reviewed the interim procedures with regards to the opportunity to make changes to the procedures. The procedures provide that minor changes can be made to Appendices B & C upon a unanimous vote of the Operations Committee members. If Operations Committee members feel comfortable making the changes, then you could simply do so at your regular Operations Committee meeting on the morning of November 17. However, if you have questions or concerns, you could simply wait until after either the state caucuses or the full Commission meeting and then reconvene the Operations Committee for a short meeting to consider the following proposed changes, or others, if need be.

August 25, 1998

Page 2

Attached you will find a copy of the adopted Appendix B with the suggested changes noted. There are no proposed changes on the first page. On page B-2, in paragraph C, some words were deleted and the two sentences combined to clarify that only mainstem diverters who have storage contracts with Utah Power will be allowed diversion of Bear Lake storage water. At the bottom of page B-2, in paragraph G and continuing to the top of page B-3, are some changes to the description of the intervals where storage water transit losses are charged. This change is made simply for clarity purposes. Also on page B-3, in paragraph B, a minor change is suggested to clarify that the Commission expects Utah Power to provide storage water contract amounts rather than to have Utah Power distribute or account for storage water deliveries.

One additional item was discussed which had to do with the potential preparation of a map which could show a schematic of the Bear River system and location of various reaches and other important parameters used in the water right accounting models. We are looking into the opportunities for the creation of such a map. The Operations Committee may want to consider if such a map could be, from time to time, distributed along with Appendix B but not formally made a part thereof, thus allowing the modelers flexibility to refine and improve their models with time without being required to modify the procedures with respect to items shown on the map.

Should any of you have any questions at all regarding the above changes, please contact me. Otherwise, I will presume that you will want to put a discussion of and/or action on the above changes on your agenda for the November Commission meeting.

np  
attachment

cc: Commission Members (w/attachment)  
TAC Members (w/attachment)

## **Appendix B**

### **Accounting & Distribution Method**

#### **Bear River Commission Approved Procedures for Lower Division Water Delivery**

##### **I. INTRODUCTION**

The Bear River Commission's *Procedures for Lower Division Water Delivery*, to which this document is appended, provide for the description of an accounting method which can be used to account for the distribution of Lower Division main stem Bear River flows, including accounting of stored water, without regard to state line, pursuant to the water delivery schedule(s) set forth in Appendix C (see definitions found in III.C. of these Procedures). The purpose for describing the accounting method is to document the necessary logic and approach for water distribution and delivery calculations. The method described below is based upon appropriate hydrologic and water right accounting and distribution principles and upon provisions found within both the Dietrich and Kimball Decrees.

Upon the declaration of a water emergency, the administration of water deliveries will proceed as needed between the Commission and the States of Idaho and Utah and their respective river commissioners or watermasters. Both the States of Idaho and Utah will use their respective computer accounting models which implement the same methodologies as described below. In order to protect water users, the states will provide timely diversion measurements and regulation with weekly reporting to the Engineer-Manager as described in Section VII of the Procedures for Lower Division Water Delivery.

##### **II. ACCOUNTING**

During a Commission declared water emergency, the distribution and delivery of natural flows will be made to users within Idaho and Utah by priority and without regard to the state line. It is recognized that during much of the irrigation season, stored water releases from Bear Lake have a dramatic impact to the main stem Bear River flows in the Lower Division. It is further recognized that Utah Power controls these releases within restraints provided for by the Compact and under state water law to deliver stored water to contract users. The recognition of these contract holders and the segregation of stored water from the natural flow is vital to water accounting and delivery. Therefore, in a water emergency, the following will apply:

- A. In order to properly account for water travel times and stored water delivery losses, the river will be divided into a series of reaches. Reaches are defined based upon available stream flow information and/or between points on the river where there are changes in hydrology, including at major points of diversion or tributary confluences. Once the reaches are defined, the natural flow gain (or loss as a negative gain) within the reach is calculated. The natural flow gain within a given

reach is defined as the discharge from the reach, plus any diversions within the reach, minus the inflow to the reach, plus or minus changes in reservoir contents within the reach. Reach gains and natural flows available for diversion within each reach will be calculated and distributions will be made to users diverting under water rights for non-hydropower purposes set forth in Appendix C (Water Delivery Schedule No. 1) within that reach and downstream reaches, by priority.

- B. Once all of the natural flow has been distributed, all junior rights will be distributed zero natural flow. If in the distribution process there is only sufficient natural flow to meet a portion of the rights with identical priorities, then distribution will be made on an equal percentage of the available natural flow to each right holder with the identical priority.
- C. ~~Main stem water users will be allowed diversions of stored water. Divisions of stored water will be allowed~~ upon receipt by the Commission from Utah Power of storage allocations for that year in acre-feet by storage contract holder. The storage allocations provided by Utah Power may reflect the total storage limitations agreed to in the Bear Lake Settlement Agreement.<sup>1</sup>
- D. To properly account for use of all stored water from Bear Lake, a calculation of natural flow diversions and use of stored water released from Bear Lake will be made beginning on the date during the irrigation season when stored water was first released from Bear Lake.
- E. Individual stored water use accounts will be tracked during the remainder of the water emergency and once the stored water allocated to an individual water user is fully used, the water user will not be allowed additional diversions of stored water unless the Commission receives notice from Utah Power that supplemental storage allocations have been made.
- F. As provided for in the Dietrich Decree, "in order to compensate for the natural yield of the Bear Lake area," water released from Bear Lake shall include an amount of water to be "regarded as 'natural flow'" in the following amounts during the year:

50 cfs from April 20<sup>th</sup> to July 1<sup>st</sup>,  
35 cfs from July 1<sup>st</sup> to July 15<sup>th</sup>,  
25 cfs from July 15<sup>th</sup> to August 1<sup>st</sup>, and  
15 cfs from August 1<sup>st</sup> to September 15<sup>th</sup>.

- G. Stored water released from Bear Lake will be subject to transit losses as provided for in the Dietrich and Kimball Decrees so as to protect natural-flow water rights. The decreed transit losses are as follows: 1½ percent of the stored water flowing from

<sup>1</sup>

The Bear Lake Settlement Agreement is an agreement entered into on April 10, 1995 between PacifiCorp, the "Bear Lake Group," and the "Irrigators."



~~the Bear Lake outlet works to above~~ between Alexander and Grace Dam and an additional 1 percent transit loss for stored water remaining between each of the following points: Grace Dam and the diversion for West Cache Canal; between the diversion for West Cache Canal and the Idaho-Utah State Line; and between the Idaho-Utah State Line and Cutler Reservoir.

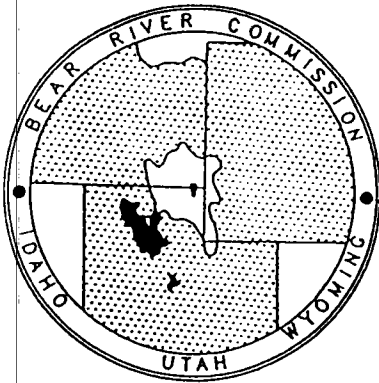
- H. The movement of natural flow and stored water within the system will be subject to travel time as provided for generally in the Dietrich and Kimball Decrees. It has been determined that the travel time from Outlet Canal to Corinne is approximately 5 days. Therefore, the travel time used in the accounting models will be different from the travel time identified in the decrees.
- I. A summation of total natural flow and stored water available for diversion by reach will be made and the appropriate division and regulation of such flows within the reaches will be the responsibilities of the states and their respective river commissioners or watermasters.

### III. DISTRIBUTION

An integrated water delivery schedule of all Bear River Lower Division main stem water rights deliverable in both Idaho and Utah has been created and incorporated into the states' computer accounting models. During a water emergency, the states will provide timely diversion measurements and regulation with weekly reporting to the Engineer-Manager as described in Section VII of the Procedures for Lower Division Water Delivery. The following will apply:

- A. Natural flow will be distributed according to priority of rights on the main stem Bear River in the Lower Division, based on Water Delivery Schedule No. 1 set forth in Appendix C.
- B. Stored water from Bear Lake will be accounted for and distributed to storage water contract holders up to their contracted amounts, as provided by Utah Power.
- C. Tributary streams will be administered by state officials having jurisdiction in Idaho and Utah.
- D. It is recognized that groundwater diversions have an effect on the flows of the Bear River. The States of Idaho and Utah are evaluating this impact, and a list of all groundwater rights with flow rates greater than 0.10 cfs has been prepared by the two states. Additional studies have been and are being performed by the states. Both states are committed to include appropriate groundwater effects in their water accounting and administration.

# BEAR RIVER COMMISSION



106 West 500 South, Suite 101  
Bountiful, UT 84010-6232  
(801) 292-4662  
(801) 524-6320 (fax)

**RECEIVED**  
**Sent Via Facsimile**  
**NOV 16 1998**

MEMORANDUM BR98-88

Department of Natural Resources

TO: The Operations Committee

FROM: Jack A. Barnett, Engineer-Manager

SUBJECT: AMENDMENTS TO WATER DELIVERY SCHEDULE NO. 1

DATE: November 12, 1998

## COMMISSION MEMBERS

### Chair

Denice Wheeler

### Idaho Members

Karl J. Dreher  
Rodney Wallentine  
Don W. Gilbert

### Utah Members

D. Larry Anderson  
Blair Francis  
Charles W. Holmgren

### Wyoming Members

Gordon W. Fassett  
James Crompton  
John A. Teichert

## ENGINEER-MANAGER

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

Jody has been working late. Last night at 8:00 p.m. the attached letter and altered Water Delivery Schedule No. 1 was faxed to me. A review of the material will reveal to you that PacifiCorp feels there needs to be multiple changes to small water rights on the delivery schedule. The Commission staff (Don and I) do not advance proposed changes to the schedule to the Operations Committee without the approval of Utah or Idaho. In fact, there is no reason for Don or I to be in the middle as long as we know the changes that are to be made. Hence, I have sent the enclosed material also to the listed state water right leads.

I find it an open question as to the number of changes the Operations Committee will be comfortable in making on November 17. You will note that Jody has given users a deadline of November 20. A future meeting of the Operations Committee may be needed to complete this current wave of changes. As I was finishing the writing of this memo, Bill White, an attorney who works with Jody, called to say he has many more changes but they may be of the most simple type. The changes could be just to add the note to some water rights on the list that there is a Utah Power contract associated with the right.

np  
attachments

cc: Jade Henderson  
Bill Ondrechen  
Will Atkin  
Bob Fotheringham  
Hal Anderson  
Skip Jones

**KRUSE, LANDA & MAYCOCK, L.L.C.**

50 WEST BROADWAY (300 SOUTH)  
EIGHTH FLOOR, BANK ONE TOWER  
SALT LAKE CITY, UTAH 84101-2034

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(801) 358-3854

WRITER'S VOICE MAIL  
Extension 234

JODY L. WILLIAMS

WRITER'S E-MAIL  
jwilliams@kmlaw.com

November 11, 1998

Jack A. Barnett, Engineer-Manager  
Bear River Commission  
106 West 500 South, Suite 101  
Bountiful, UT 84010

*VIA FAX 524-6320*

RE: Water Delivery Schedule #1

Dear Jack:

PacifiCorp appreciates the opportunity to comment on proposed changes to the Commission's Water Delivery Schedule #1 received last week. As the Commission is aware, over the past year, PacifiCorp has set out to update and revise the individual Bear Lake storage water contracts and quantify the acreage historically irrigated with supplemental Bear Lake storage water. To ascertain the correct owners of the contracts, the acreage irrigated, and the title owners of the water rights supplemented with Bear Lake storage water, PacifiCorp has relied on the help of the Logan office of the Utah State Engineer, the Idaho Falls office of the Idaho Department of Water Resources, Bill Ondrechen in the Boise office of the Idaho Department of Water Resources, the Lower Bear River Commissioner, the District 11 Watermaster, and the officers and board members of the Bear River Small Irrigators Association, and many others.

Prior to issuing replacement contracts for the 1989 contracts, PacifiCorp required each user to provide information on the acreage irrigated and to update title to the water rights. To the extent possible, the replacement contracts are written in the names of title owners of the water rights. This will necessitate the revision and updating of the Commission's Water Delivery Schedule #1. Our investigation also found a few additional water rights on the Schedule supplemented by contracts.

I am attaching a copy of Schedule #1, with the updates noted thereon, to this letter. To the best of our knowledge, it is current. However, the contract holders have until November 20 to update and execute their replacement contracts, so we could get some additional last minute changes. If we do, we will notify the Commission.

In previous correspondence, I informed the Commission that PacifiCorp was updating its own water rights and would be filing claims with the Idaho Department of Water Resources pursuant to Idaho Code § 42-243. On November 10, 1998, PacifiCorp filed the claims, and they should be noted on the last page of Schedule #1 in the first box ("Idaho unadjudicated claimed rights which only receive natural flow when the river is not in regulation, but which thereafter receive storage water under contracts with Utah Power.") Those filings, which document existing uses, are listed below:

**KRUSE, LANDA & MAYCOCK, L.L.C.**

Jack A. Barnett

November 11, 1998

Page 2

11-04354	Soda Hydro Plant Irrigation	0.02 cfs
11-04355	Lifton Station Domestic/Irrigation	0.08 cfs domestic; 0.04 cfs irrigation
11-04356	Soda Springs Golf Course Irrigation	1.40 cfs
11-04357	Soda Hydro Plant Power	400.00 cfs
11-04358	Soda Hydro Plant Domestic	0.08 cfs
13-04333	Grace Dam Domestic	0.04 cfs
13-04334	Grace Dam Irrigation	0.01 cfs
13-04335	Grace Hydro Plant Lawn Watering	0.06 cfs
13-04336	Grace Hydro Plant Dam/Irrigation/Stockwater (Three Springs)	0.20 cfs domestic; 0.04 cfs irrigation; 0.01 cfs stockwater
13-04337	Oneida Hydro Plant Domestic	0.08 cfs
13-04338	Oneida Hydro Plant Irrigation	0.08 cfs

A couple of the changes to Schedule #1 deserve additional comment: in Utah, Water Right Nos. 25-6467 (1894) and 25-3040 (1919) currently listed in Robert W. Goodwin, and to be changed to Elner Goodwin Trust, soon will probably be segregated. The additional owner listed on each water right is Warren D and Cathy D. Hughes. The Hughes irrigate different acreage than the Goodwins, and they should have separate water right numbers. We believe they should be listed on Schedule #1 with Elner Goodwin Trust until their rights are segregated.

In Idaho, B. Johnson (listed in the first box on the last page) is deceased. His son has been offered the contract, but indicates he is unlikely to sign it by the November 20, 1998 deadline (if at all). Delete B. Johnson from the box. If his son decides that he wants a storage water contract prior to November 20<sup>th</sup>, we will so inform you.

If we find additional changes to Schedule #1 prior to the Operations Committee meeting on November 17, we will notify you.

Very truly yours,

KRUSE, LANDA & MAYCOCK, L.L.C.

*Jody L. Williams*  
Jody L. Williams

JLW  
attachments

**KRUSE, LANDA & MAYCOCK, L.L.C.**

Jack A. Barnett

November 11, 1998

Page 3

cc: Michael Winslow  
Randy Landolt  
Doug Bornemeier  
Carly Burton  
Randy Budge  
Brent Rose

Linda,

*Stennis, MS*  
*228-688-1555*

I found this at <http://pubs.usgs.gov/publications/1995-02/informal.html>

OF 94-0363. Proceedings of a U.S. Geological Survey pressure-sensor workshop, Denver, Colorado, July 28-31, 1992, compiled by S. L. Wilbourn. 1994. 55 p. (NC, Da, M, Wb.) Microfiche \$4; paper copy \$6.75.

- a. Evaluation of a double-bubbler system for sensing water levels, by P. E. Hughes. p. 3.
- b. Comparison of WaterGage II and mercury-type manometers at three streams in Michigan, by C. L. Ebsch. p. 5.
- c. WaterGage II; an alternative for present water-stage instruments, by H. A. Hitchcock. p. 7.
- d. Evaluation of a nonsubmersible pressure sensor in Montana, by L. G. Sultz and R. R. Shields. p. 9-11.
- e. Evaluation of the balance-beam manometer, by G. B. O'Neill. p. 13-14.
- f. Oregon district experiences using Paroscientific pressure transducers interfaced with Campbell Scientific data loggers, by R. L. Kittelson. p. 15-16.
- g. Digital pneumatic tide gages at National Oceanic and Atmospheric Administration; a progress report, by H. H. Shih, J. J. Sprenke and M. A. Basileo. p. 17.
- h. History of the use of submersible and nonsubmersible transducers in Arkansas, by T. E. Lamb. p. 19-20.
- i. Comparison of two pressure sensors, by Bill Bemis. p. 21.
- j. Various sensors used in monitoring water levels by the Sacramento Field Office, California District of the U.S. Geological Survey, by M. D. Webster. p. 23.
- k. Installation and operation of submersible pressure transducers; Design Analysis model H300, by W. D. Wiggins. p. 25-26.
- l. Evaluation of pressure transducers on small drainage areas near Steamboat Springs, Colorado, by E. A. Wilson. p. 27.
- m. Comparison of a balance-beam manometer and a mercury manometer in recording peaks stages in the Rio Grande de Loiza, Puerto Rico, by P. L. Diaz. p. 29.
- n. Iowa District stage-sensing test, by N. B. Melcher and J. G. Gorman. p. 31.
- o. Stage-accuracy considerations, by E. D. Cobb. p. 33-34.
- p. Analysis of errors in stage measurements by pressure sensors, by W. H. Kirby. p. 35-36.
- q. Testing of submersible pressure transducers installed in crest-stage gage pipes, by W. R. Kaehrle and K. G. Thibodeaux. p. 37.
- r. Testing of pressure sensors at the Hydrologic Instrumentation Facility, by P. W. Potter. p. 39-41.
- s. Fluid data systems WaterGage II laboratory test results, by D. H. Rapp and T. E. Olive. p. 43-44.
- t. Pressure transducer characteristics and manufacturer's specifications, by R. A. Johnson. p. 45-47.

This can be ordered from USGS Information Services at 1-800-435-7627.

Launa

*Fax*  
*327-7866*

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

# of pages *2*

To *Paul Castelin*  
Dept./Agency *EDWR*

From *Linda Channell*  
Phone # *387-1305*  
Fax #

Fax #  
NSN 7540-01-317-7368

5099-101

GENERAL SERVICES ADMINISTRATION