



# State Engineer's Office

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MAY 29 2001

JIM GERINGER  
 GOVERNOR

PATRICK T. TYRRELL  
 STATE ENGINEER

May 25, 2001

Mr. Jack Barnett, Engineer-Manager  
 Bear River Commission  
 106 West 500 South, Suite 101  
 Bountiful, UT 84010-6232


Dear Jack:

As we all anticipated at the April Commission meeting, this is indeed turning out to be a very dry year and emergency regulation under the provisions of the Bear River Compact came early in the irrigation season to the Central Division. Wyoming has been providing you with our diversion numbers on a weekly basis for you to calculate the amounts that Wyoming and Idaho should have out under the emergency allocations in the Compact. Although we will continue to comply with these provisions of the Compact, I wanted to take this opportunity to be "on record" that Wyoming expects to see an explanation and quantification of the amount of water that would appear to have been mis-reported last year by Idaho as evidenced by the difference in their call-in numbers and the final diversion reports submitted to you for publication in the biennial report. We are also requesting Commission verification that the same errors aren't again happening this year. Cokeville area water users are making numerous calls to Jade's office, here to Cheyenne and to our Congressional offices expressing their concerns regarding a repeat of last year's problem. They feel that they were not delivered water to which they were entitled last year and some have gone so far as to state they expect compensation for the damages. We owe a valid assurance to these water users that the water is being distributed fairly and in accordance with the provisions of the Compact.

I understand that you were able to accompany Pete and his supervisor on a field trip to the Central Division in Idaho and visited the diversions, reviewing the measurement devices and methods used to quantify Idaho's diversions. I hope that you were satisfied in your review that the methods used result in the accurate call-in reporting of the water use in Idaho.

As I tried to emphasize at the April Commission meeting, time is of the essence in getting this matter resolved. More than a month has passed since the Commission meeting, and as yet we have not received any explanation from your office or Idaho accounting for the difference in the reported diversion numbers. I expect that explanation in the very near future, in writing, as well as the interstate Commission's assurance that the situation is not repeated this year, and your explanation as Engineer-Manager of how the problem has been adequately resolved. Please don't hesitate to give me a call if you feel a direct conversation on these issues would be of benefit.

With best regards,

  
 Patrick T. Tyrrell  
 State Engineer

Cc: Tom Davidson, Attorney General's Office  
 Karl Dreher, Idaho Water Resources Director  
 D. Larry Anderson, Utah Water Resources Director  
 Patti Smith, Sen. Thomas' Office

Surface Water  
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