BEAR RIVER COMMISSION

Reservoir Site Studies

Reservoir Site/ Sponsor	Compact Division	Mainstem/ Tributary	Total Cost ($) Cost/AF ($/af)	Capacity (af)	Water Right(s)	Studies	Comments/Status
Rocky Point	Central	Mainstem	$102 M (1989)	300,000 AF	None.	*Letter dated December 21, 1989 to IDWR*, U.S. Army Corps of Engineers	Would require relocation of a highway, railroad and power line.
Plymouth Idaho Water Resource Board	Lower	Tributary - Malad River - but would use mainstem flows	$10M (1970)	400,000 AF	None. Would come from Idaho and Utah's compact allocation.	*Bear River Basin Investigation,* Idaho Water Resource Board, 1970.	The Idaho Water Resource Board proposed this site in 1970 as an alternative to the Bureau of Reclamation's proposed Oneida Reservoir that would have inundated the existing Oneida hydropower dam. Dam site is in Utah on the Malad River. The reservoir would extend into Idaho. The reservoir would capture Bear River flows and route them into the reservoir through a canal.
Caribou (Soda) Idaho Water Resource Board	Lower	Mainstem	$26.2M (1996)	40,000 AF	Idaho Water Resource Board holds permit 13-2314 for the storage of 40,000 AF at this site with a 1963 priority date.	*Soda Springs Dam Feasibility Study,* J-U-B Engineers, 1981. *Caribou Dam and Reservoir Feasibility Study Update,* HDR Engineering, 1996.	
Bear River Narrows Twin Lakes Canal Company	Lower	Mainstem	$8.135M (1988)	17,800 AF	None. Would come from Idaho's compact allocation.	Feasibility study for multi-purpose project is currently underway by the Twin Lakes Canal Company with financial support from the Idaho Water Resource Board. Prior run-of-river hydropower project proposed at same site:	A run-of-river hydropower project at this site was proposed in 1988 by a private hydropower developer, but IDWR denied the water right application based on local public interest criteria. Multi-purpose study currently underway includes hydropower and supplemental irrigation water supply.

						Application to the Federal Energy Regulatory Commission for a License for a Major Unconstructed Project: Bear River Narrows Hydro Project, Sorensen Engineering, 1988.	
Thomas Fork Reservoir Idaho Water Resource Board	Central	Tributary - Thomas Fork	$7,332,000 (1982)	12,000 AF	None. Would come from Idaho's Central Division compact allocation.	*Upper Thomas Fork River Multipurpose Dam and Reservoir Project,* Idaho Department of Water Resources, 1982.	Reservoir site is in Wyoming but location of water use would be in Idaho. Would require highway relocation.

Future of Idaho's Bear River Compact Allocation

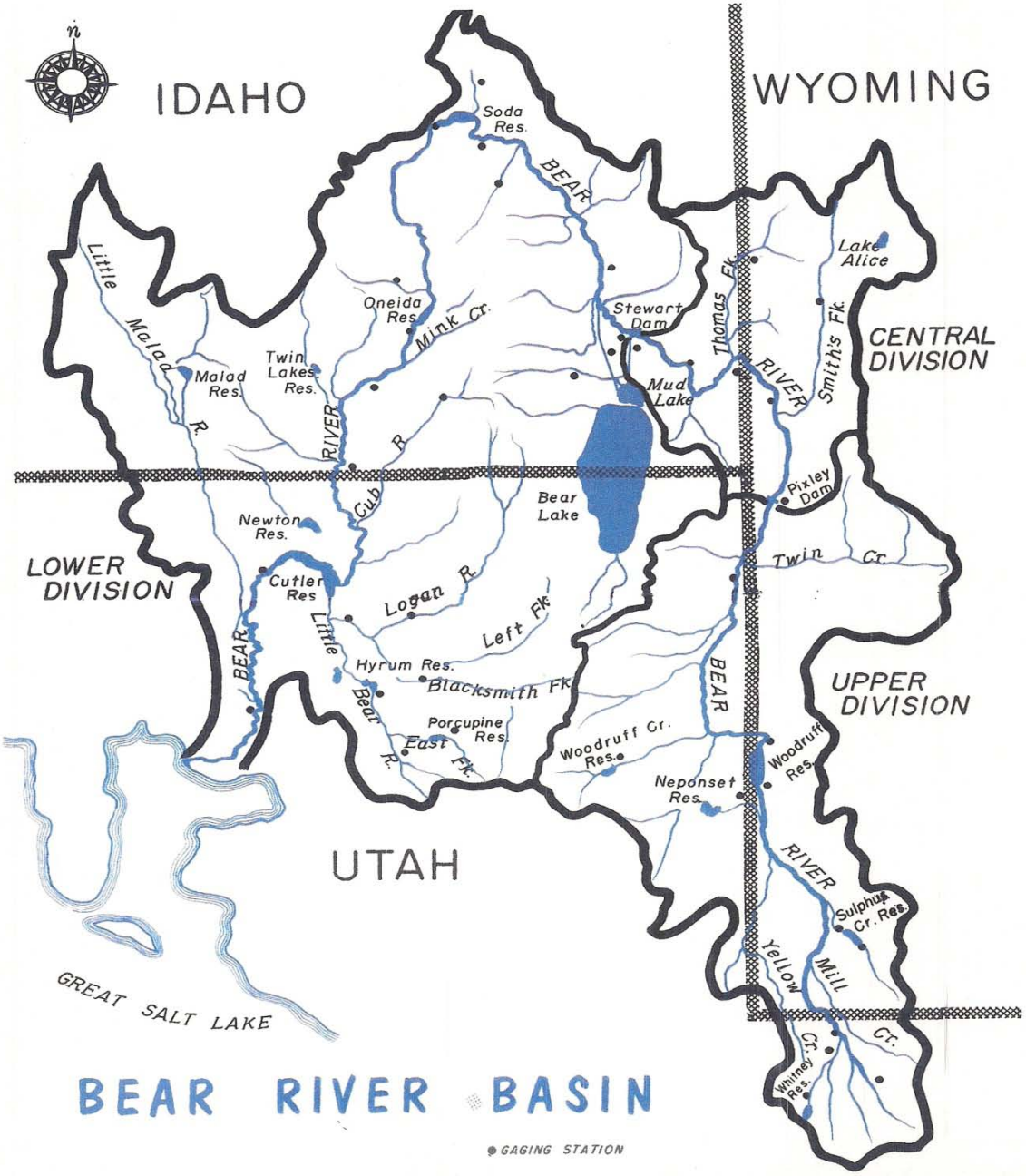
Idaho Water Resource Board
Montpelier, ID.
September 19, 2013

Hal N. Anderson

Topics

- State Water Plan
- Water Supply Bank
- Compact Allocations
- Storage Projects
- Adjudication

Bear River Compact Hydrology Features



State Water Plan

- 5A - BEAR RIVER COMPACT IN THE BEAR RIVER BASIN--Water use and management in the Bear River Basin shall conform to the allocations agreed to in the Bear River Compact.
- 5B - BEAR RIVER BASIN WATER MANAGEMENT IN THE BEAR RIVER BASIN--The Idaho Water Resource Board supports enhancing water supplies, increasing water use efficiency, and implementing water supply bank mechanisms to help meet future water needs in the Bear River Basin.

State Water Plan

- 5C - INTERSTATE WATER DELIVERY IN THE BEAR RIVER BASIN--Idaho water users in the Lower Division of the Bear River Basin must be protected from inequitable water allocation in the event of a water emergency and the scheduling of interstate water deliveries.
- 5D -BEAR LAKE IN THE BEAR RIVER BASIN--The outstanding recreational, aesthetic, and fish and wildlife resource values of Bear Lake should be preserved, while recognizing the existing storage allocations for irrigation and hydroelectric power generation.

Water Supply Bank

- Policy 5B, specifically includes “implementing water supply bank mechanisms to help meet future water needs in the Bear River Basin.”
- Currently Idaho water users can lease and rent natural flow water through the water supply bank, but currently there is no Rental Pool for storage water.
- Utah water users have expressed interest in establishing water banking including a rental pool for Bear Lake.
- Several Presentations have been made to Utah water users describing the Idaho Water Supply Bank.

Water Supply Bank

- Legislation was drafted and introduced but did not passed.
- Rental Pool for Bear Lake is complicated by concerns that additional use of storage will effect Lake levels important to property owners and additional storage use will deplete flows available to existing users including the Power Company.
- A major difference for Bear Lake is that it is operated by a Private Utility and not a Federal Agency like Idaho Storage projects.

Lower Division Allocation

ARTICLE V

A. Water rights in the Lower Division acquired under the laws of Idaho and Utah covering water applied to beneficial use prior to January 1, 1976, are hereby recognized and shall be administered in accordance with State law based on priority of rights as provided in Article IV, paragraph A3. Rights to water first applied to beneficial use on or after January 1, 1976, shall be satisfied from the respective allocations made to Idaho and Utah in this paragraph and the water allocated to each State shall be administered in accordance with State law. Subject to the foregoing provisions, the remaining water in the Lower Division, including ground water tributary to the Bear River, is hereby apportioned for use in Idaho and Utah as follows:

(1) Idaho shall have the first right to the use of such remaining water resulting in an annual depletion of not more than 125,000 acre-feet

Storage

ARTICLE VI

A. Existing storage rights in reservoirs constructed above Stewart Dam prior to February 4, 1955, are as follows:

Idaho .....324 acre-feet

Utah .....11,850 acre-feet

Wyoming ..... 2,150 acre-feet

Additional rights are hereby granted to store in any water year above Stewart Dam, 35,500 acre-feet of Bear River water and no more under this paragraph for use in Utah and Wyoming; and to store in any water year in Idaho or Wyoming on Thomas Fork 1,000 acre-feet of water for use in Idaho.

Storage

- B. In addition to the rights defined in Paragraph A of this Article, further storage entitlements above Stewart Dam are hereby granted. Wyoming and Utah are granted an additional right to store in any year 70,000 acre-feet of Bear River water for use in Utah and Wyoming to be divided equally; and Idaho is granted an additional right to store 4,500 acre-feet of Bear River water in Wyoming or Idaho for use in Idaho.

Storage

Thirteen thousand (13,000) acre-feet of the additional depletion above Stewart Dam is allocated to each of Utah and Wyoming, and two thousand (2,000) acre-feet is allocated to Idaho.

Storage

- The additional storage rights provided for in this paragraph shall be subordinate to, and shall not be exercised when the effect thereof will be to impair or interfere with (1) existing direct flow rights for consumptive use in any river division and (2) existing storage rights above Stewart Dam, but shall not be subordinate to any right to store water in Bear Lake or elsewhere below Stewart Dam; provided, however, there shall be no diversion of water to storage above Stewart Dam under this Paragraph B when the water surface elevation of Bear Lake is below 5,911.00

Storage

- The only storage projects that have been seriously discussed in recent years have been Caribou, Rocky Point and Twin Lakes.
- Caribou, became a major topic during the mid-1980's when flooding occurred in the Soda Springs and Grace areas. The power company has since acquired most of the lands that were flood impacted.

Bear River Commission

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Storage

- Rock Point was supported and promoted primarily by property owners on Bear Lake who wanted to use Rocky Point to off-set irrigation operation of Bear Lake. Rocky Point is above Stewart Dam.
- Bear River Narrows is proposed and promoted by Twin Lakes Canal Company. The major driver for the Narrows is to reduce operating costs for the Canal Company. Twin Lakes has a very complex combination of water sources and delivery system.

Adjudication

- It has been an objective of IDWR to complete an adjudication in the Bear River Basin so that the entire state would be adjudicated.
- Adjudication Court has stated that if requested since they are “geared up” and operational it would make sense to complete the state by adjudicating the Bear River.
- It has been the observation of staff working on water rights in the Bear River that the IDWR records are not very good.

Adjudication

- The Bear River Compact does provide Idaho an allocation for development in the Lower Basin which includes ground water.
- In 2003 the Bear River Ground Water Management Plan was adopted which provides for managing withdrawals and to accommodate growth.
- Bear River Basin was on the Water Board list of aquifers proposed for completion of a Comprehensive Aquifer Management Plan.

Adjudication.

- When Idaho and Utah were calculating depletions occurring since 1976 to determine where each state was in regard to using its allocations, it became clear that both states had very limited data regarding ground water rights and withdrawals, so a compromise was reached stating offsetting equal amounts.
- In order to preserve and protect Idaho water, to fully utilize Lower and Central Division Allocations and to implement Conjunctive Administration, an adjudication and development of a calibrated ground water flow model for the Bear River Nasin should be a state priority.

Questions ?