REPORT OF WATER COMMISSIONER

WATER DIVISION IV; DISTRICT 14

WATER YEAR 2009

TODD COVOLO
JOHN YARBROUGH
LYMAN, WYOMING

GENERAL CONDITIONS

Henry's Fork Basin is administered under the Upper Colorado River Compact. As described by the Compact, the Water Commissioner is appointed by both states and is to administer water of this basin without regard to state line. This report contains Utah and Wyoming issues and references.

2009 water year started with below average snowpack. March and April snow with May and June rain storms, increased creek runoffs to near normal flow. The storms assisted in a good spring start to the growing season.

Due to below average run-off, Burnt Fork was placed in regulation by request on May 9, and remained in regulation until October 15. The spilt of the creek on Burnt Fork was left exactly like I left it last fall. Burnt Fork has many issues and problems. Some of these issues will be described in the problem areas and recommendations section of this report.

Beaver Creek was placed in regulation on June 16, by request for the Nelson Ditch with a 1908 priority. Water was supplied to this ditch throughout the season with secondary supply from Hoop Lake, and was taken out of regulation on July 21.

West Beaver Creek and the Henry's Fork did not go into regulation.

Over the past 10 years the depth of regulation and the day that priority was hit are shown in the following table, as well as year-end storage carryover.

Depth of Regulation	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Beaver Creek										
Depth of Regulation (priority)	1889*	1908	1899*	1899*	1899*	N/R	1908	1899*	1889	1908
Date when that priority was hit	7-16	8-1	10-1	8-10	N/R	6-21	7-10	7-10	7-10	6-20
Burnt Fork										
Depth of Regulation (priority)	1899	1902	1895	1899	1899	1901	1899	1882	1895	1882
Date when that priority was hit	7-5	7-5	7-20	10-1	9-14	10-1	10-1	7-11	7-21	10-15
Lower Henry's Fork										
Depth of Regulation (priority)	N/A	N/A	1899	N/A	1899	N/R	1899	1899**	N/R	N/R
Date when that priority was hit	N/A	N/A	7-20	N/A	7-20	N/R	9-1	7-1	N/R	N/R

N/R – Not Regulated E – Estimated N/A – Not Available Stock – Stockwater F – Futile

*This priority is on West Beaver Creek tributary. **The Lower Henry's Fork call went unusually all the way to the upper end of the main stem.

Reservoir Carryover Percentage	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Hoop Lake (4026.5 AF)	N/A	N/A	0	20	5	71	5	18	26	55
Beaver Meadows (2461 AF)	0	0	0	20	0	45	0	5	10	24
Island Lake (778 AF)	0	0	0	0	0	0	0	0	0	0

Total Carryover Amount divided by Permitted Total Capacity on about September 30. E – Estimated N/A – Not Available

ACCOMPLISHMENTS

- Three letters were sent by Utah to users on Burnt Fork demanding improvements to their structure to help regulate the ditch. All are discussed later in the problem area of this summary and identified in the problem section below. Each letter will be followed-up on.
- Helped Birch Creek users to understand their water rights to avoid regulation.
- Telemetry was installed on some diversions located on Burnt Fork and Beaver Creek. This new technology will be helpful to me as Water Commissioner to regulate the creeks with the data provided.
- Visited all Utah diversion's on Burnt Fork with Bob Leak and Ben Anderson of the Utah Division of Water Rights. This was informative to them and especially me by giving a better understanding of the creek and Utah water rights.
- The Midway Ditch installed a new measuring device.
- The Summers Perrott & Bullock users will be repairing the measuring device prior to next season.
- Island Lake delivery went with no concerns, due to rain keeping the creek consistent eliminating conveyance loss impacts to users downstream of Interstate Canal.

PROBLEM AREAS AND RECOMMENDATIONS

The split of Burnt Fork is to be managed by the Water Commissioner, with no interference of water users, to provide water as needed down the branches. As long as the Commissioner does this, regulating the creek will function correctly. There is no need for anyone else to be making adjustments at this split. If this redevelops into a problem an expensive control structure could/can be required. If users feel that adjustments need to be made at any time, they need to call the Water Commissioner to do so.

Users of Thompson Creek Ditch need to install a measuring device at the point of diversion for reservoir supply to Hoop Lake. The headgate structure is in poor condition needing repair before it completely falls apart. This needs to be done by the 2010 storage season or diverting storage

supply water to Hoop Lake. The Utah Division of Water Rights has sent a notice for these repairs and a measuring device.

The Neilson Ditch users some years ago constructed a rock diversion dam across Beaver Creek causing interference to downstream ditches getting their water. The users of this ditch need to construct a regulate-able structure to allow water to pass downstream. This can be remedied to a point by adjustments to the Neilson Ditch headgate, but with changing stream flows as well as the users adding rocks to this dam this can be difficult to impossible.

Gregory Basin Ditch (East Beaver) users need to comply with the Utah order to correct the regulation problem down the Gregory Basin Ditch. The main problem here is when Hoop Lake storage water is conveyed for Burnt Fork. This can be remedied by me following up on the Utah order needing cooperation of the users. Communication of the users along this ditch is the main problem. If they will work together, this will eliminate the free for all. This will keep my involvement away from down ditch regulation with them resolving these issues on their own. This is an annual problem with resolutions and directions provided by Utah that need to be followed.

Interstate Canal users need to comply with the Utah order to fix the headgate and bypass structure on Burnt Fork. This will be followed up by the Water Commissioner.

The Baldy Spring users need to work together to get their water down ditch. Ditch users feel that the Commissioner needs to lock headgates at each turnout down the ditch. If so, they will be required to install screw type lockable headgates and measuring devices at each turnout. They will also need a by-pass allowing water to be returned to Burnt Fork; this will be a regulate-able (lockable) structure. All headgates and measuring devices are to be approved by the Water Commissioner. This will be expensive and required prior to the Water Commissioner going down ditch for any delivery. The time and mileage of the Water Commissioner will also be billed to the users of this ditch according to their share of water rights in this ditch.

Users need to remember the requirement for a locking headgate and properly maintained and accurate measuring device. This is an ongoing need due to natural expected deterioration as well as high water damages to the headgate and measuring device. Headgates and measuring devices should be checked and maintained annually by the users; screws need to be greased and easily adjusted by the Water Commissioner. Trees and bushes that hinder with headgate adjustments need to be removed.

Henry's Fork requirements for headgates and measuring devices need to be addressed. Prior to future regulation of the creek these devices and structures will be required. I will be listing the ditches with the need for headgates and measuring devices. I will be sending notice to ditch owners demanding this work prior to any regulation.

Communications between the water users and the Water Commissioner are good. The reminder for the need of one spokesperson or contact per ranch is a must during regulation.

CONCLUSION

This water year was a good year for good crop yields. I feel that all users had water to work with and all users were treated fairly when regulation was called upon. I hope that next year yields a much higher water run-off from the high mountains.