

WTR-4.00  
MIN

(Water Marking)



THE STATE OF WYOMING

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May 7, 1992

John Dooley  
Project Superintendent  
Minidoka Project, Bureau of Reclamation  
1359 Hansen Ave.  
Burley, ID 83318

Dear John:

I was sorry that your schedule didn't allow you to attend our most recent, productive discussions regarding Snake River operations and the operating plan for Jackson Lake and Palisades Reservoir, but hope that your labor discussions went well. As I suspect Earl has briefed you, by the conclusion of our meeting we had agreed upon a draft outline for a public document explaining the Bureau's guidelines for the storage and release of water from these two facilities, including Wyoming's storage water. I appreciate the time that both Earl and Mike have dedicated to this project and feel that the Operating Plan will be very beneficial to many within Wyoming in developing a better understanding of the Snake River system.

During the meeting we discussed the water storage accounts attributed to Wyoming's space, and I was very concerned to learn of the continuing obligation of 10,907 acre feet that was committed to and sold through the Water Bank prior to our contract being consummated. While I certainly understand the risk associated with having a 1939 priority water right in Palisades, each of us from Wyoming who were involved with negotiating the contract were completely unaware of this "last to fill" restriction on nearly one third of our contracted space amount.

It does appear though, that with the remaining balance in the Federal Account at Palisades Reservoir, the opportunity exists for "making whole" Wyoming's account. While we understood the account was not full when the contract was executed, it was quite a surprise indeed to learn that the entire portion of Wyoming's account was not being equally considered under the 1939 Palisades filling right. We were concerned that the 1939 right would not accumulate any additional storage at this time last year. But with the May and June rain, we felt confident that our accounts were indeed near 33,000 acre feet since the 1939 right at Palisades did fill due to the late spring precipitation.

If drought conditions continue during this irrigation season, a significant drawdown of Jackson Lake will likely result. It thus becomes even more important that Wyoming have its

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entire 33,000 acre feet for maintaining releases during the upcoming year. It will be crucial to have maximum flexibility in the early spring of 1993 in utilizing Wyoming's account for maintaining the fishery in as viable a condition as possible during these dry periods.

I also appreciated Ron Golus attending the meeting to describe in more detail the modeling efforts that have been completed by the Bureau and others regarding Snake River operations. He passed along a copy of the Information Update for the Upper Snake River Basin Storage Optimization Study for our review of the section dealing with the maintenance of flows below Jackson Dam. After we have reviewed this and other information, we will work with your staff to discuss modelling that may be useful. If this drought persists, fishery demands will dictate that incremental water supplies from Wyoming storage accounts be released in addition to the 280 cfs or inflow maintained by the Bureau.

Through the development of this operating plan, I have become more cognizant of the concern by the public in the Jackson area regarding the management of the Snake River. The public has certain expectations of what can be accomplished now that Wyoming is a space holder in the system. I am confident that we can come to a workable solution regarding the filling priority oversight such that the State of Wyoming will in fact obtain what we all believed was being negotiated under the terms of the contract.

I look forward to discussing with you the options the Bureau feels are viable for the necessary transfer to provide Wyoming with the full 1939 water right storage amount that would have accrued without the "last to fill" obligation. Don't hesitate to contact me if you'd like to informally discuss mutually agreeable alternatives and solutions.

With best regards,



Gordon W. Fassett  
State Engineer

GWF/SL

cc: Mike Purcell, Wyoming Water Development Commission  
Pete Petera, Director, Wyoming Game and Fish Department  
✓John Keys, Regional Director, Pacific Northwest Region, BOR  
Earl Corliss, Minidoka Project Office, Burley, ID

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