

# COTTONWOOD CREEK DISTRIBUTION SYSTEM ANNUAL MEETING

MARCH 5, 2002

The annual meeting of the Cottonwood Creek Distribution System was called to order by Chairman Craig Johansen at 10:04 a.m. Mr. Johansen asked Casey Ford to read the minutes of the 2001 meeting. There were two corrections to be made. On page two, in the prepared budget, the Travel Expense should read \$2500.00, not \$7500.00. On page three, in the list of those present, Eugene Johansen represents Emery Water Conservancy District, not CCCIC. Following the corrections, a motion was made by Kyle Singleton, and seconded by Jay Mark Humphrey, to accept the minutes as corrected. All present voted in the affirmative.

Chairman Johansen asked Lee Sim to review the 2001 Financial Statement. Mr. Sim indicated that as of January 1, 2001, there was \$7,507.66 in the Trust Account. Receipts for the year totaled \$16,253.66, which included \$15,716.17 in regular assessments, \$238.45 in delinquent penalties, and \$299.04 in interest. Expenditures for the year totaled \$16,816.67. It should be noted that over budgeting occurred in the social security, retirement, travel expense, contractual expenses, insurance premiums, and miscellaneous expense, amounting to a surplus of \$166.79. As of December 31, 2001, there was \$6,944.65 in the Trust Account. One delinquent account that was outstanding has been paid in full in the amount of \$508.57. Mr. Lee Sim also presented the new procedure regarding delinquent assessment payments. The Division of Water Rights will send a letter out requesting payment of the account after two years of delinquency. If after two weeks the account is not paid, a Cease and Desist letter will be sent to the delinquent water user, the river commissioner will be instructed to lock the headgate to the delinquent account, and a memo will be placed on the water right file. A motion was made by Eugene Johansen, and seconded by Mark Williams, to accept the Financial Statement as read. The vote was unanimous.

The next item of business was a brief review of the Commissioner's Report for 2001. Commissioner Magnuson stated that the year began with 41,000 acre-feet of water in Joe's Valley Reservoir and ended with 38,500 acre-feet. A total of 54,172.00 acre-feet of water was diverted above and below Joe's Valley Reservoir. The Cottonwood Creek Consolidated Irrigation Company diverted 30,256 acre-feet of water for irrigation purposes during the year, of which 4,696.00 acre-feet was project water, and 25,560.00 acre-feet was primary water. PacifiCorp used 4,857.00 acre-feet of primary water, and 4,725.00 acre-feet of project water, for a total of 9,582.00 acre-feet. Other diversions totaled 16,644.00 acre-feet. Commissioner Magnuson also discussed the Reeder Creek Subdivision area. He is having a difficult time correlating the cabins and irrigation to the CCCIC shares. Deputy Commissioner Darrell Gardner, who will be overseeing that area, and was introduced to the Reeder Creek system this past spring, stated that six Parshall Flumes have now been purchased and will be installed this year. According to the NRCS Snotel data for this date, there is 49% of the average snow water equivalent at the Seely Creek station. Red Pine Ridge is 57%, and 55% is reported at the Mammoth-Cottonwood site. The March 1, 2001 stream flow forecast which was available prior to the preparation of these minutes indicate the inflow to Joe's

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Valley Reservoir is predicted to be 34,000.00 acre-feet, which is 59% of average. A motion was made by Kyle Singleton, and seconded by Gary Kofford, to accept the Commissioner's Report. The motion passed.

The next item on the agenda was a discussion of the Commissioner's performance of duties during the irrigation season. Several questions regarding calls for water, and the normal daily activities were asked of, and answered by Commissioner Magnuson. Jay Mark Humphrey asked that a measuring device be placed on the Wilsonville Ditch. Chairman Johansen agreed to examine the need for the measuring device, and requested this be reflected in the record. The general attitude was that the Commissioner was doing a good job.

Chairman Johansen conducted the next item of business, which was the preparation of a budget for 2002. Mr. Lee Sim announced that the Division of Water Rights would add an item to future budgets to help defray its expenses in accounting for and administering the funds to pay the Commissioner's salary and the Distribution System expenses. This additional item is in response to the current state budget shortfall, and the budget cuts imposed on the Division. The calculated expense of this item to the Division is equal to 7.5% of the total budgets for all the distribution systems in the state. The implementation of the State Engineer's assessment will begin in 2002 and will take place over a period of three years. The assessment for the first year will be 2.5%, the assessment for the second year will be 5.0%, and the assessment for the third and succeeding years will be 7.5%. Mr. Sim stated that this item will be evaluated at the end of the fiscal year, in June, and will only be applied if the budget for the Division is in the red. After some discussion of this new budget item, the following budget was prepared:

Commissioner's Salary	\$10,750.00
Contractual Services	2,000.00
Social Security	822.00
Retirement	1,660.00
Travel Expense	2,500.00
Insurance	195.00
Annual Report	150.00
Miscellaneous	300.00
Assessment Costs	440.00
Total	\$18,817.00

A motion was made by Eugene Johansen to accept the budget as prepared, and to set the assessment at \$18,000.00. Kyle Singleton seconded the motion, and the motion passed.

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The appointment of a committee was the next item of business brought before the water users. Paul Clark nominated Gary Kofford to replace Jack Magnuson as the Upper Users representative. A motion was made by Jay Mark Humphrey to suspend the rules and to retain those individuals who served the system in 2001 with the exception of Gary Kofford replacing Jack Magnuson. Darce Guymon seconded the motion, and the motion passed. Therefore, the 2002 Committee is as follows:

Craig Johansen	Chairman
Blaine Tuttle	CCCIC
Kyle Singleton	Industrial Users
Gary Kofford	Upper Users
Mark H. Williams	Lower Users

With no further business, Chairman Johansen motioned to adjourn the meeting. Kyle Singleton seconded the motion, and the motion passed. The meeting adjourned at 11:15 a.m.

Those present at the meeting included the following:

Craig Johansen	Chairman/CCCIC
Clyde J. Magnuson	Cottonwood Creek Commissioner
Stanley Mathis	CCCIC
Eugene Johansen	Emery Water Conservancy District
Darce Guymon	PacifiCorp
Kyle Singleton	PacifiCorp
Paul Clark	Joe's Valley Culinary Water Company
Mark H. Williams	Mill Ditch
Gary D. Kofford	Joe's Valley Culinary Water Company
Gertrudys Adkins	Division of Water Rights - SLC
Lee Sim	Division of Water Rights - SLC
Casey Ford	Division of Water Rights - Price