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WATER RIGHTS
SALT LAKE

MINUTES
Cedar Valley Distribution System
February 19, 2008
7:00 P.M.

THOSE PRESENT: Norman Grimshaw, Susan Lewis, J. Dilworth Armstrong, Paul Nelson, Phil Hirschi, Kurt Vest, Pam Crowther, Nathan Moses, Clemont Adams, Harl Adams, Trever Adams, Sam Bauer, Lee Sim, Mike Silva, Brent Jones, Chairman, and LaRee Garfield, Secretary.

This meeting was called to order by Chairman Brent Jones. There appeared to be no Minutes from the 2007 meeting. He then asked Commissioner Sam Bauer to present the 2007 Commissioner's Report.

Sam reported that "the 2007 water year was an average year. The stream peaked at 66 cfs on April 8th then slowed down for a time, then peaked again at 65 cfs on April 29th. The stock water was turned in the ditch on March 15th and turned down Coal Creek on November 1st this year. This was a month earlier than normal, due to the new diversion being built in the creek. There have been some good snow storms on Cedar Mountain so far this year. This could be a good year for water.

The new diversion will operate differently than the old diversion. In the past, the flood waters would take out the dirt dam and continue down the creek. With the new diversion, I will be required to shut the gates before the flood hits to keep the muddy water from getting into the system.

The Commissioner has in his possession the following: One four-drawer filing cabinet."

Brent then called for a motion to accept the 2007 Commissioner's Report. Paul moved for acceptance; Dilworth seconded; motion unanimously carried.

Brent then asked if there were any concerns or comments related to the Commissioner's work for 2007. Sam said that he had talked to Kit Wareham, Cedar City Engineer, and he said that they are right on schedule for the new diversion project, and the water should be in the ditch March 15th. Paul said that Kit promised him that the Union Field would have water since they are on the high side, but Paul said that the bottom of the ditch looks low to him. He also said that there needs to be some way to keep the very muddy water out of the ditches. Paul said that we have about 130% of normal at Webster Flat at this time. Brent said that it may be a very interesting year with all of the snow that we have on the mountain this year. On another matter, Paul said that Old Fort and Old Field will still get their water out, somehow, with the new diversion.

Brent then asked Lee Sim to present the report from the Division of Water Rights. Lee reported that a couple of years ago, the State Legislature gave the State Engineer the responsibility to enforce water violations, and if someone wanted to fill out a referral on a violation they could do that. At that time, the Division could not guarantee that the identity of that person would be protected, as they may be needed as a witness should the matter ever come to trial. However, the Division Enforcement Officer, Kerry Carpenter, investigates violations with the water, and he reports those, so there is no need for people reporting violations to worry about their identity

coming out. Contact information on the referral form is still needed, however, but their identity will be protected.

The 2007 Financial Report was then discussed. The beginning balance in the Cedar Valley Distribution Trust Fund, January 1, 2007, was \$10,316.57. We had \$8,766.01 in Receipts, and Expenditures of \$9,008.18. The ending balance in the Distribution Trust Fund, December 31, 2007, was \$10,074.40. Brent then called for a motion to accept the Financial Report. Paul moved for acceptance of the Report; Phil seconded; motion carried.

The delinquent assessment accounts were then discussed. We have \$533.81 in delinquent accounts. Norm Grimshaw asked that his name be eliminated from the Worth Grimshaw Associates delinquency, because he has nothing to do with that account. LaRee stated that Alan (Bud) Garfield no longer owns the water showing delinquent in his name. Brent said that he will talk to Robert Overson regarding an address for John Sims so that his assessment can be sent to him. The Victoria Show account needs to be split.

The 2008 Budget of salaries and other necessary expenses was then discussed. Lee indicated that the State Engineer Assessment would increase by \$24.00 this year to \$630.00. It appears that all other budget items will remain the same as in 2007. Paul moved that we approve a budget of \$9,452.00 for 2008; Harl Adams seconded; motion carried. Paul then moved that the total distribution system assessment amount remain at \$8,300.00 for 2008; Sam Bauer seconded; motion carried.

Brent then stated that a Chairman and Board Members for 2008 needed to be selected. Dilworth moved that we suspend the rules and retain the current Chairman and Board Members by acclamation; Norman seconded; motion carried. Those individuals are: Brent Jones, Chairman, Ramon Prestwich and Paul Nelson, Board Members.

Brent then asked if there was any other business to come before the group. Harl asked if the Account Roster is the official document as to who owns the water rights in the Cedar Valley Distribution System. Lee said that this document is used more for assessment purposes and is not the official listing of water rights.. Some of the information needs to be updated, but the office has not had time to do that. Paul asked about the ground water master plan out to Beryl. Lee said that the State Engineer has held many meetings out to Beryl and Enterprise with the water users, trying to organize a voluntary water users association, as well as a number of other meetings, and a lot of discussion has been had as to how to reduce the amount of water taken out of the ground out there, from changing the crop types to taking land out of production. It has been suggested that the reduction be phased out over a 90 year period of time, with the first cut of 5% coming in 20 years, another 5% cut in the next 20 years, three 10 year periods at 5%, and another 10% in the remaining two 10 year periods, and that as the cuts were made, they would monitor it to see if the ground water level was coming up. The objective is to stabilize the water table. The State Engineer is also looking at other valleys, and the Pahvant Valley near Fillmore may be the next one they will look at. Much work still has to be done on the part of Water Rights before this can be done. Enterprise is possibly the worst case in the State. The water table has been constantly dropping out there, and it does not even come up in good water

years. The above mentioned proposal has not been completed or decided on, and there will still be a series of meetings before anything definite is decided.

Brent then called for a motion to adjourn. Dilworth moved for adjournment; Phil seconded; Meeting adjourned at 8:00 P.M.