

MINUTES OF CEDAR VALLEY DISTRIBUTION SYSTEM
HELD WEDNESDAY, FEBRUARY 18, 1976
8:00 P.M.

The meeting was called to order by Donald Norseth who announced that this was our annual water users meeting where we get together and discuss problems of water and water users. He stated that there were area people present, namely, Lorin N. Sperry, Gerald Stoker and Norm Day.

Mr. Norseth then went on to say that as of February 1st, we were just a little below normal, but the recent storms have dropped a lot of snow such as is rarely seen in February, and particularly in the mountains. From Fillmore on South, we are below normal, about 75% of normal. The Virgin River is probably at 60-70% of normal. The southern part of the State does not look too good. We have two areas of potential flooding--Utah Lake and also from East Canyon Creek where we have a full reservoir and no place to put the water. One other area that is dry is in Duchesne--they are about 65% of normal. The Bear River, Ogden and Logan Rivers look good. The snow seems to extend about to Levan, so our part of the State is much dryer. It has been an unusual February, but the temperatures have been consistently warm and then melted off in between storms. The reservoirs in the northern part of the State are in very good shape.

Mr. Norseth then stated that at this annual distribution meeting we hear the minutes from last year, prepare a budget to cover this year's expenses, have the financial report of monies, hear the Commissioner's report and then nominate a Commissioner for 1976, and then have a general session at the end on matters pertinent to this meeting. Mr. Norseth then turned the meeting over to Lorenzo Luke, Chairman.

Mr. Luke asked if everyone present had an agenda of the meeting, and then asked Secretary, LaRee Garfield, to read the minutes of the 1975 meeting. Clemont Adams made three corrections to the minutes, Jerry Bryant then made the motion that the minutes be approved as corrected, Dr. J. S. Prestwich seconded the motion, and it was unanimously passed by the members present.

FINANCIAL REPORT: (Copy attached and made a part hereof by reference).
The financial report was read by Donald Norseth. At the conclusion of the report, Mr. Luke asked if there were any questions on the report, and it appeared that there were none. Howard Nelson moved that the financial report be accepted as read, Kerry Jones seconded the motion, and it was unanimously passed by the members present.

COMMISSIONER'S REPORT: (A copy of this report was given to the heads of the various fields prior to the meeting, and a copy of the same is attached hereto and made a part hereof by reference.)

Clemont stated that he had asked Mr. John Esplin to attend this meeting, but he was unable to do so. However, he did send the following information.

As of February 1st, there was an estimated 48% run off on Coal Creek. Webster Flat was 25% of normal (from October-January, it was 57% of normal). The soil moisture right now is low, with Coal Creek forecasted to run 60% of normal.

Clemont then continued his report. 1975 began very cold and remained cold until May when there were storms that really gave the crops a set back.

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WATER RIGHTS

Clemont then stated that since the closing meter reading season, there were three wells that pumped all summer that he knew nothing about.

Clemont then presented the following recommendations for the coming year:

1. That the calculator presently being used by the Commissioner be used until it wears out, and then purchase a new electronic one.
2. Authorize two deputies and increase their salary to \$1,200.00.
3. Increase allowance for report to \$500.00.
4. Complete the repairs on the north diversion dam this year. He also suggested that the gauge on the North Field and Union Field be repaired.
5. Sell the duplicator which we now have, because paper cannot be obtained to fit the machine. Clemont stated that he thinks that he can sell it for \$100.00-\$200.00, and that it is his opinion that it should be sold, as it will no longer do the job.

Clemont then resigned as Water Commissioner but stated that if we wished for him to continue and if we would follow his recommendations, he would stay on.

Dr. Prestwich asked what the price of a new calculator would be, and Clemont said that for about \$200.00 he could get a good electronic calculator that would do everything he needed. Dr. Prestwich then asked if Clemont could come up with a total budget, and Clemont said that that was Ren's job.

Kerry Jones then asked about the broken meter on Jones Land and Livestock Company and where it is located, and Clemont said that it is the one at the house and that Lehi had been approached and thought that it was taken care of.

Dr. John Beal then stated that he thought it would be appropriate to act on the recommendations at this time. Ren said that we would get the Commissioner approved and then go on. George Vandenberghe made the motion that the Commissioner's Report be approved, Louis Webster seconded the motion, and it was unanimously passed by the members present.

Dr. Prestwich then moved that we approve the salary increases as proposed by Clemont in his report. The motion was seconded and unanimously passed by the members present.

Louis Webster then made the motion that the allowance for having the report prepared be increased from \$225.00 to \$500.00, Dr. Prestwich seconded the motion, and it was unanimously passed.

W. K. Smith then asked Clemont what kind of computer he needed, and Clemont said that he needed both a program and a memory computer, and he said that he needed one with eight memory features because of the four kinds of water. Thurman Higbee then asked if it was a print out type, and Clemont said that it was just an electronic kind. Thurman stated that he thought a print out kind might be better, but Clemont said that the electronic kind was more satisfactory. Dr. Prestwich then made the motion that we approve the purchase of a new machine, Dr. Beal seconded the

motion, and it was unanimously passed by the members present. Ren then stated that the old machine would be sold, and Clemont said that he thought \$200.00 would buy a new machine. Howard Nelson then asked what kind he had in mind, and Clemont said that he did not know but that he would check on it.

Regarding the North Field Repair, Louis Webster and Howard Nelson said they would take care of it. Ren said that he would take care of the other.

Regarding the duplicator, Clemont said that he thought he could sell the old one for \$200.00 and then go to commercial printing to get the report done. Dr. Prestwich made the motion that we sell the duplicator.

Ren then stated that the meters are protecting our rights, and the responsibility must be on the individual, not only on the overpumping but on the meter as well. This is what protects us from overpumping the valley. We should take this seriously and keep the meters intact for our protection. Ren said that he had contacted Grimshaw and Clark Sprinkling System Company, and they said that if we would get the parts, they would repair them within 24 hours, so this should be done. We are entitled to draw exactly what we own, but we must stay within our rights, and the responsibility should be on the individual. He suggested that we read our own meters and keep track of them, and that we don't have to go to Clemont.

Dr. Prestwich said that self-policing does not work, and that we have to back up Clemont. We have gone over this for three years, and still nothing has been done. Ren suggested that when a man overpumped, we charge him \$10.00 an acre foot. Dr. Beal said that he was the one who overpumped more than anyone else, but he put down a new well and gravel gets into it, and he might not know it for 24 hours and that he fixes it as soon as he sees it. Ren then said that he just wants us to be conscientious and sincere. Dr. Beal said that he thought \$10.00 was out of line, and Ren said he did not think it was out of line at all. Mr. Norseth suggested that we get on with the budget, and Ren proceeded with the budget for the coming year.

With Clemont's salary increase, Ren said he thought that if we made the assessment the same as last year, we would have enough. Regarding the underground committee expense, Dr. Prestwich asked about it, and Mr. Norseth said that if it is not expended every year, it is put in a reserve fund. Howard Nelson then made the motion that we accept the budget as read, Richard Leigh seconded the motion, and it was unanimously passed by the members present.

Thurman Higbee then asked about the cost of water meters, and Ren said that he purchased one last year for \$175.00. Thurman also asked about overpumping. High water is figured in with well water at the rate of four acre feet per acre of ground, but that includes high water as well as well water. Thurman then asked how you know how much high water you use and how much water you can pump after you use the high water. Ren said that this can be determined by asking Clemont. Clemont said that what Thurman wants to know is how much high water he gets so he will know how much water he can pump. Thurman said that we need to know so that we can keep an accurate record on our wells. Clemont said that he will try and get his report done before the Christmas holidays so that we will know.

Thurman then asked about sprinkling systems. Even though you own so much water and have proven up on so much ground, you are still limited by acreage and the

water that we own. So, in other words, even with a sprinkling system, you cannot water any more ground than you can by irrigation. Mr. Norseth said that you cannot expand your acreage, but you can put that water any place you want to. Forrest Q. (Bud) Bauer asked about selling water to subdivisions, and Mr. Norseth said that you cannot sell your water and keep it, too. Brent Hunter said that the water commissioner out in the valley has told the people there that if they have a 100 acre water right, they are entitled to 400/acre feet. Mr. Norseth said that the subdivision has a high rate of return, and Richard Leigh asked about this. Dennis Bauer asked if this can actually be proven, and Mr. Norseth said that this has been proved that subdivisions have a higher rate of return. Richard Leigh asked about the example Brent Hunter gave, and he said that they discourage the best use of water when they do this. With a sizeable investment to increase better use of water, they are discouraging the most beneficial use of water. Our valley gets recharged every few years, and we are not mining it like out in the Escalante Valley, and we hope that the engineer understands this and that he won't discourage the most beneficial use of water.

Dr. Beal stated that if we have so many acre feet from a pump well, and we use up half of the water we are supposed to get with the high water, then the people here in the valley will stop using their high water and just use the wells. Clemont said that we know how much surface water we own and that we are still restricted to that. Dr. Beal said that if we use half of our water right by the 1st of June, then we won't have enough water to irrigate through the summer.

Dr. Prestwich said that they fought for quite a few years to increase from three acre feet to four acre feet, and that he has said that we need four acre feet. Mr. Norseth said once again that we are held by acreage and acre feet of water, and that if we use more than our share, we are using someone else's water and that more water is being consumed. He went on to say that in the Escalante Valley this is a small problem and not a large one at all. Richard Leigh said that this procedure is still preventing the most efficient use of water.

Jerry Bryant said that during the early spring, the small amount of water we receive is not doing us any good and that we need it later in the year and that it should be charged against our underground rights and not against our wells. Mr. Norseth agreed that our early water is not as valuable as the later water.

Dr. Prestwich nominated Clemont Adams as Water Commissioner; this was seconded by Richard Leigh and passed unanimously by the members present.

It was then pointed out that the committee should assist in the handling of water. The present committee is Ren Luke, Bud Garfield and Jerry Bryant. Dr. Beal moved that we elect these three gentlemen by acclamation, seconded by Richard Leigh, and unanimously passed by the members present.

Clemont said that with regard to the executive committee, there is no-one representing the subdivisions on this board, and he suggested that Dee Rindlisbach be put on the general board to represent the subdivisions. Ren suggested that this representative should act on the committee. Jerry Bryant thought that he should be on the general board which is comprised of presidents of companies, power company, and the president of the pumper's committee. Bryant Leigh made the motion that the subdivisions get together and get someone to act on this committee. Ren asked who was present representing subdivisions. Roger Chambers was named to represent the subdivisions on the general board.

Dr. Beal stated that relative to work done last summer, the power company lost the water that was being supplied by the Bureau of Reclamation, and that they found they could get this power from Utah Power and Light for a cost of \$1,500,000.00. It was a division of cost that we objected to--if that way was used, it would have cost us \$90,000.00 extra. We hired an attorney, asked our representative to protest, and the State granted us a new hearing, and the cost was divided more equitably among the users. This saved us \$190,000.00. The power company went along with this, and that is the way it stands now. But the problem was that we had to hire an attorney for the hearing, and this necessitated collecting from the pumpers. At this time, only about 30 out of 110 have paid, and it was Dr. Beal's feeling that we should get together and get this paid. It is only \$.20 per horse power, which is not very much. Dr. Prestwich said that Parowan carried the bill on this protest, and that they are the ones that are out. If a person's power bill was \$1,000.00, he was saved \$130.00, and for that much it would only cost him about \$5.00, and so if everyone would help, it would be appreciated.

Dr. Beal said that we should have a pumpers meeting and elect new officers and get to work on subdivisions to regulate these. Mr. Norseth said that input from the pumpers and subdivisions will be extremely helpful and would make enforcement much easier. Paul E. Holper said that in Monte Vista they have a water commissioner that controls one meter for 60 acres, and that Clemont does not have to go around to 60 different homes to read meters. Mr. Norseth said that this is a very good set up.

Dr. Beal said that he felt that everyone should know by the end of the season how he stands as far as overpumping. Dr. Prestwich thought that if you overpumped in 1975, you got that much less in 1976. Clemont said that water can be transferred in to your well to even out your account from year to year. Dr. Prestwich asked what the law is on this, and Clemont said that the law is that you have to transfer in water to cover that or shut off your well until the next year. Mr. Norseth said that this is a hard and fast rule, but that there is a lot of laxness in shutting off these wells, and he hoped that we will take care of it and stop overpumping. He went on to say that he does agree that notice is a problem, and it is a big job for the commissioner to notify everyone when they are reaching the top of their allowance, but this will have to be worked on.

Jerry Bryant asked how big of a job it would be to calculate the Coal Creek run off and get it out a little earlier. He suggested that Coal Creek users be notified in the paper that Coal Creek was running so much per share and figure out approximately how much a person could use according to this. Clemont said that Old Field and Coal Creek would both have to be calculated.

Jerry Bryant asked about the transferring of water to cover overpumping and if this can be transferred in from anywhere. Mr. Norseth said that you have to stay within the basin and immediate vicinity of the wells.

Howard Nelson said that there is a problem in one of Lin Orton's subdivisions that will foul up the distribution, and he wondered what can be done about it. Mr. Norseth said that he would have to file a change application if he was going to move the well. Ren said that he has a point of diversion and that he's just running it one way and then the other and that the point of diversion is not changed. Richard Leigh said that there should be some percentage of this changed to underground water. Clemont said that if a measurement device was put in at the head of each ditch, he would measure it there instead of at the main place of the ditch. He also said that he has made some allowance for this.

Bryant Leigh asked how each well was charged. Mr. Norseth said that this is based on previous years pumping.

Richard Leigh moved that the meeting be adjourned; the motion was seconded. Meeting adjourned at 10:00 p.m.