

1992 DEEP CREEK DISTRIBUTION MEETING

The 1992 Annual Deep Creek Distribution Meeting was convened at 9:08 a.m. on Thursday, February 6, 1992 and was conducted by Lee Sim of the State of Utah Division of Water Rights.

Those attending the meeting included the following:

<u>NAME</u>	<u>REPRESENTING</u>
Lee Sim	Division of Water Rights
Bob Leake	Division of Water Rights
Ralph Johnson	Division of Water Rights
Lance Luck	Mosby Irrigation
Marvin Huber	Deep Creek
Charman Justice	Deep Creek
Robert Justice	Deep Creek
Larry McKee	Deep Creek
Wayne Justice	Deep Creek
Aaron Simmons	Deep Creek
Raymond Murray	Deep Creek
Dave Murray	Mosby Irrigation
Dorothy Luck	Mosby Irrigation
Phil Harrison	Self
Louis Simmons	Deep Creek
Nada Eldredge	Mosby Irrigation
Dave Larson	Self
Art Reichle	Mosby Irrigation
Glen Bascom	Self
Wayne Martinsen	Self

Minutes of the 1991 Deep Creek Distribution meeting were read by Bob Leake. Charman Justice made a motion to accept the minutes as read and Raymond Murray seconded the motion. The motion carried.

Lee Sim presented the 1991 Financial Report. A discussion ensued regarding the delinquent water assessments during which it was determined that the dates shown for delinquent amounts were in error. A motion was made by Robert Justice and seconded by Raymond Murray that the 1991 Financial Report be accepted. Motion carried.

Charman Justice presented her Water Commissioner's report for Deep Creek Distribution System for 1991. Charman reviewed the water year in general and outlined problems and issues concerned with a late starting season, difficulties in gaining access to remotely located headgates and weirs and the necessity to clear canals and ditches of trees and brush. Charman expressed her thanks and appreciation to John Justice, Dave Murray, Larry McKee, Elmer Ekin, Lance Luck, Raymond Murray and Wayne Justice for their help and assistance in resolving problems on both Deep Creek and Mosby systems.

Lance Luck brought up the Huber ditch weir issue. A discussion ensued regarding the need for an operating measuring device for the ditch.

Charman also described the maintenance and installation of weirs and flumes within the system which included a new 4-foot rectangular cutthroat flume at Logger's Cabin. A motion was made by Wayne Justice and seconded by Robert Justice, that the Commissioner's Report be accepted as presented. Motion passed.

The next item of business was to determine a Commissioner's Budget for 1992. Lee Sim reviewed the 1991 budget, item by item, and a general discussion followed. It was determined that Item No. 11 of the budget "Health and Life Insurance Premiums" should not have been included in the 1991 budget and was replaced in the 1992 budget with an item for "Workmen's Compensation". The final proposed and corrected budget for 1992 is as follows:

<u>Code No.</u>	<u>Item Description</u>	<u>Amount Budgeted</u>
1	Salary	\$3,249.00
2	Social Security	249.00
3	Travel Expense	2,000.00
10	Bonding Expense	100.00
12	Workmen's Compensation	90.00
14	Telephone	100.00
16	Annual Report	50.00
18	Miscellaneous Expense	<u>1,000.00</u>
	Total Proposed Budget	\$6,843.00

Charman Justice made a motion that the 1992 Proposed Budget be accepted. Robert Justice seconded the motion and motion carried.

The election of a water commissioner for 1992 was the next item of business. Charman Justice was nominated by Wayne Justice and Dean Clerico was nominated by Lance Luck. A lengthy discussion followed involving water right holders in Deep Creek and shareholders in the Mosby Irrigation System and how the voting rights of each might be considered in order to ensure a fair election.

Lee Sim explained that although some users held shares of water in Mosby Irrigation, it was the Mosby System itself that owned the water right in Deep Creek and that Mosby was, therefore, entitled to only one vote. Robert Justice and others explained that there were only five qualified voting members in the Deep Creek Distribution System and that they were the three Deep Creek Distribution System Directors, Mosby Irrigation Co. and the State Engineer. A motion was made by Louis Simmons and seconded by Wayne Justice to accept the voting procedure as outlined for the election purposes of the commissioner. Motion carried.

A vote was then taken by a show of hands. Charman Justice received 3 votes and Dean Clerico received 1 vote. Therefore, Charman Justice was retained as Commissioner for 1992.

Under other business, there was a unanimous decision to retain the same Directors for 1992 that had served for 1991. Also, under other business, was a renewed and lengthy discussion of voting procedures for elections involving both water right holders in Deep Creek and shareholders in Mosby. The discussions that followed did not result in a resolution of the questions that had developed and finally Lee Sim proposed that this matter be tabled for the present time so that he might have sufficient time in which to research the voting matter in greater detail and reach a determination. The results of Lee's research will be presented to the group during a special meeting to be held next month.

This new proposal was agreed to unanimously and a date of March 2, 1992, at 11:00 A.M. was set for the meeting to be held in the Shop Offices of Dave Murray.

Meeting adjourned at 10:22 A.M.