

**MINUTES OF THE HENRY'S FORK TRIBUTARIES DISTRIBUTION SYSTEM**  
**February 10, 2004**  
**McKinnon Schoolhouse, McKinnon, Wyoming**

The meeting convened at 4:00 p.m. and was conducted by Lee Sim of the Utah State Engineer's Office. Mr. Sim introduced representatives of the State Engineer's Offices of both Utah and Wyoming.

Andrew Dutson of the Utah State Engineer's Office read the minutes of the 2003 annual meeting. No corrections were needed to the minutes. Jon Wilde made a motion to accept them. Gino Foianini seconded the motion. All Approved.

The financial reports for the 2003 season were the next items of discussion. John Larsen read the report from the State of Utah. There were no outstanding accounts on the Utah records. Jade Henderson read the report from the State of Wyoming. Jade noted that the expenditures were up from the amount of time that Todd Covolo had put into the system. Jade felt this was good since Todd spent extra time learning the system. Lee Sim commended Todd for his extra effort. Lee stated that the Henry's Fork Ditch would be added to the assessments since it was not a part of any regulated system before the previous year. Jon Wilde made the motion to accept the financial reports as read. Jack Hickey seconded the motion. All approved.

Lee Sim requested a report of the year's activities from Commissioner Todd Covolo. Todd began his report with a summary of the conditions of the system throughout the irrigation season. Todd next spoke about some accomplishments on the system. He stated that he had begun a long process of learning. He further stated that he felt comfortable with regulating both Beaver Creek and Burnt Fork and that he was learning the Henry's Fork.

Todd moved on to cover problems and concerns on the system. He spoke about the necessity for all water users to have their points of diversion defined and corrected. He spoke about the necessity for all water users to have their ditches, headgates and measuring devices properly installed and functioning. Todd specifically mentioned the Henry's Fork ditch, the Thompson Supply ditch, the water going under the bridge on Burnt Fork, the Hoop Lake measuring device, the need for a new headgate and bypass structure for the Gregory Basin Diversion and the Nielson Headgate. He felt that communications on the creeks were good and that each ranch should maintain a spokesperson to contact daily. Todd stated he felt the year had been good for most ranchers and that he believed most ranchers felt they were treated fairly. He concluded by expressing hope that the next year would be at least as good as this one.

After Todd's report, Gino Foianini stated that he had problems with Todd's delivery of water. Mark Anderson and Glen Wadsworth both expressed satisfaction with Todd's efforts on the system. A motion was made by Mark Anderson to accept Todd's report. Jack Hickey seconded the motion. The motion passed.

The Utah water users then discussed the Utah budget proposal for 2004. The 2004 Utah State Engineer's assessment will be \$194.00. The miscellaneous total was set at \$4,473.00 for a total proposed assessment of \$4,667.00. A motion was made by Mark Anderson to accept the proposed budget and assessment. Clyde Hanks seconded the motion. Gino Foianini and Jon Wilde were opposed.

Lee Sim requested any discussion about concerns on the system. Gino Foianini stated that he did not want to be a part of the system using the 1/50 ratio and asked for discussion on the topic. Lee Sim responded to his statements. Todd Covolo gave an explanation of how double duty was administered. Both Lee Sim and Bob Leake added to Todd's explanation with the position of the State of Utah. Ken Hanks asked how the State of Utah interprets the Colorado River Compacts effect on the distribution system. Bob Leake and Lee Sim answered his inquiry.

Gino Foianini asked for a discussion on the letter from the Utah State Engineer about the Gregory Basin Diversion. Lee Sim advised the affected water users to put together a proposal and submit it to the Utah State Engineer and that this had not been the first letter about the problems with the diversion. Jade Henderson stated that this had been a problem for ten years or so. Both Bob Leake and Lee Sim expressed concern over things being placed in or by the pipe creek. They stated that high flows should be able to bypass the diversion and that months had been wasted since no response had been made to the letter prior to the meeting. Bob Leake added that a stream channel alteration application should be filed with the Utah State Engineer for any work done on this diversion in the creek.

Todd Covolo stated that the distribution history showed that when excess water has gone to the Gregory Basin, others lost-out. Todd further stated that it was dangerous to place and remove carpet and boards from the diversion. Bob Leake advised that there should be a consensus of the water users on the ditch on what to do. Jon Wilde said that he was perplexed about it. He said that the State of Utah does not always follow through on things such as the nonexistence of flumes and headgates on some ditches as discussed in the 2003 minutes. Mark Anderson stated that other diversions such as the Bluebell had been repaired and that other users had paid for diversions so the Gregory Basin Diversion was not the first.

The last item of discussion dealt with the regulation of water on the West Fork of Beaver Creek. Gino Foianini requested this discussion topic.

With no further business the meeting adjourned at 5:23 pm.

Those attending the meeting were:

| <u>Name</u>     | <u>Representing</u>             |
|-----------------|---------------------------------|
| Mark Anderson   | Water User (Norma Gamble)       |
| Douglas S. Beck | Water User                      |
| Gino Foianini   | Water User                      |
| Clyde Hanks     | Water User (Hanks Family Ranch) |
| Earl Hanks      | Water User                      |
| Jack Hickey     | Water User                      |
| Don Stoll       | Water User (David R. Stoll)     |
| Glen Wadsworth  | Water User                      |
| Fay Wadsworth   | Water User                      |
| Jon C. Wilde    | Water User                      |

Todd Covolo  
Jade Henderson  
Gertrudys Adkins  
Lee Sim  
John S. Larsen  
Bob Leake  
Andrew W. Dutson

Water Commissioner  
Wyoming State Engineer's Office  
Utah Division of Water Rights  
Utah Division of Water Rights