

MINUTES OF THE HENRY'S FORK TRIBUTARIES DISTRIBUTION SYSTEM

January 30, 2003

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.

The minutes of the 2002 annual meeting were read by John Larsen of the Utah Division of Water Rights. Jade Henderson asked that the last paragraph of last year's minutes read as, "Jade Henderson stated that this stage of the mapping effort from Wyoming is now complete." Jon Wilde made a motion to accept the minutes as corrected, seconded by Earl Hanks. All Approved.

Mr. Henderson discussed the financial report for the 2002 season. He reviewed the finances received from both states. Utah's contribution was \$2,475.00 and Wyoming's contribution was \$5,926.16. Total expenditures for the year were \$8,401.16. Mr. Sim reported on Utah's portion of the financial report. The balance of the funds at the beginning of the year was \$182.54, receipts at \$2,421.92, expenditures at \$2,543.00 for a balance at the end of the year of \$61.46. There was one account delinquent at the end of the year at \$37.27. A motion was then made by Gino Foianini, seconded by Jack Hickey to accept the financial report as read. All approved.

Jade Henderson reported that Wyoming has selected Todd Covolo as new water commissioner. He is familiar with the water rights in Wyoming. John Wilde asked if there would be a conflict of interest in the water delivery by the new commissioner because he is related to water users in the area. Todd responded he would deliver water according to the law. Lee mentioned that most commissioners have some direct interest in the system. Earl Hanks stated that availability of the commissioner to the needs of the water users is critical and the most important issue at hand. Lee reminded the users the commissioner is appointed for four years. His earnings are based upon hours worked. Gino wanted to know how many hours he is willing to work. Todd responded that he will work as long as needed. Jade said that with a valid request for regulation, the commissioner should respond to the needs of the water users even if the work load is over 40 hours per week. Time and a half is given to the commissioner for those hours over 40 per week. Mr. Henderson reported Farren Johnson is willing to spend time with Todd to help him learn the system. Bob Leake also offered to spend time with Todd to help him learn the system. A motion was then made by John Wilde to accept the commissioner for the Utah water users, seconded by Howard Brinton, all Utah water users approved. (Wyoming water users approval is unnecessary.)

Mr. Covolo then read Farren Johnson's written report. Farren indicated last year was very dry with little snowpack and no high runoff. The water users exercised careful use of the water and everyone got by. He indicates there are some items that need attention. The Bluebell users need to install a flume and overflow device in the creek. Birch creek needs flumes and headgates on all diversions. On Burnt Fork, the splitter in the creek has developed a large hole that needs to be repaired and a control structure needs to be installed. Wyman ditch needs a new headgate. The Ike spring needs a measuring device.

Farren expressed appreciation for the time that he was commissioner and said he enjoyed the job very much.

Lee then opened up the meeting for discussion of other concerns. There were questions about Island Lake. Charles Bergmeier responded he inspected the lake and very little water flowed from the lake on down the creek. Charles said the impound structure had been grouted which stopped much of the leakage around the dam and headgate. John Wilde said water supply delivery was better than last year. The hole in the Interstate Canal was repaired. Gino asked about gages being installed in streams at mouth of the canyons. John Yarbrough said he would get them installed. There was discussion on the issue of BLM ground being irrigated by Lyman Grazing. This ground should not be irrigated. Jack Hickey said there is

a headgate and flume on the creek diversion to this area. It is the responsibility of the commissioner to regulate this diversion. Gino mentioned there is water being put on ground in the system that shouldn't be. Irrigation occurs due to beaver dams and the land owners won't allow anyone on the ground to remove them. Mr. Henderson stated the water users have the responsibility of removal of the beaver dams and maintaining headgates and measuring devices. Jade mentioned we need an inventory of the diversion locations needing measuring devices.

Mark Anderson motioned to accept the commissioner's report, seconded by Wade Stephens, the motion was unanimous.

Mr. Sim then reviewed the budget and assessment for the upcoming year. He mentioned the state assessment will be \$129.00 this year. After some discussion, a motion was made by Gino Foianani, seconded by Jack Hickey to set the budget at \$2,649.00 and the assessment at \$2,589.00. The voting was in the affirmative.

BUDGET

Mr. Henderson then passed out copies of the Summary of Progress towards an Interstate Delivery Schedule between Utah and Wyoming in the Henry's Fork Basin. There was some discussion concerning it. Mr. Henderson reviewed the remaining steps to be taken in the process.

Lee Sim then asked John Larsen to give a report on the snow pack so far this year. Snow pack as of this date is as follows:

Hole in the Rock	78%
Hewinta	67%
Hickerson Park	43%
Steel Creek Park	60%
Basin Wide snow pack	61% of normal.

With no further business the meeting adjourned at 5:25 pm.

Those attending the meeting were:

<u>Name</u>	<u>Representing</u>
Lee Sim	Utah Division of Water Rights
John S. Larsen	Utah Division of Water Rights
Bob Leake	Utah Division of Water Rights
Andrew Dutson	Utah Division of Water Rights
Jade Henderson	Wyoming State Engineer's Office
Todd Covolo	Water Commissioner
Larry Anderson	Water User
Mark Anderson	Water User
Wade Stephens	Water User
Earl Hanks	Water User
Gino Foianini	Water User
Ken Hanks	Hanks Ranch
Clyde Hanks	Hanks Ranch
Charles Bergmeier	Water User
Milton Beck	Water User
Jon C. Wilde	Water User
Glen Wadsworth	Water User
Fay Wadsworth	Water User
Donald Behunin	Lyman Grazing
Howard Brinton	Water User
Jack Hickey	Water User
Dale Taylor	Water User
Justin Ellis	Water User

Summary of PROGRESS Towards an
INTERSTATE DELIVERY SCHEDULE
Between UTAH & WYOMING in the
HENRY'S FORK BASIN

Given by Water Supt. Jade Henderson at the
Annual Meeting 30 January 2003

- 1) 1948: Upper Colorado River Basin Compact called for the two states to prepare an interstate priority schedule for approval by the interstate Commission on the basis of water right priorities, acreage, and water requirements of the land (Article XII a).
- 2) 1993: Special funding was obtained through the Wyoming legislature to contract GIS mapping of the Basin to delineate the duplicative overlap identified between Utah and Wyoming water rights.
- 3) 1994: "Sole supply" for Utah rights determined & accepted on Beaver Creek.
- 4) 1996: Digitizing completed by each state on its own Direct Flow water right areas, and attributing of Wyoming permits completed.
- 5) 1997: Digitizing & delineation completed by Utah for storage delivery rights.
- 6) 2000: Attributing of Utah permits completed.
- 7) 2002: Interim maps & tables of Utah rights submitted for review and delineation of "sole supply" acreages on Beaver Creek by Utah.

Draft of steps remaining:

- Review of maps & tables by Utah.
- Determine & accept "sole supply" for Utah rights on Burnt Fork and Birch Creek (and other sources?) by Utah.
- Wyoming take proof on all its unadjudicated rights and dispose of any Wyoming conflicts.
- Utah provide digitizing & attributing new rights on Beaver creeks: Buckley on Bullock Ditch, Foianini on Gregory Ditch, Hanks on Gregory Ditch.
- Final GIS map show all overlap between both states' "sole supply" Direct Flow rights.
- Determine which overlapping right will be honored (then senior).
- Compile interstate priority schedule without listing junior overlapping rights.
- Present to water users at the Annual Meeting.
- Present to interstate Upper Colorado River Basin Compact commission.
- Public notice & hearing?
- Consideration by interstate Commission.