

**Little Bear River Water Users Association**  
Minutes of The Annual Meeting  
Hyrum, Utah – January 28, 2009 – 1:00 pm

The meeting was called to order by Gary Clawson and introductions were made. Those present were: Lee Sim, Gary Clawson, Phil Olsen, Will Atkin, Ray Bankhead, Jeff Clawson, Cory Nielsen, John Kerr, Tom Bailey, Craig Rasmussen, Clark Gibbs, Aaron Hunt, Bob Fotheringham, Jon Lee, Greg Hansen, Clint Hansen, and Teresa Olsen.

Greg Hansen presented the minutes of the 2008 annual meeting of the Little Bear River Water Users Association. A motion to accept as read was made by Jon Lee with a second to the motion made by Jeff Clawson; all in favor.

Greg Hansen presented the 2008 Water Commissioner's report. One new item of interest is the fact that readings, etc. can now be accessed via the internet but the regular reports will continue to be faxed to the various locations. The motion to accept the report was made by Phil Olsen and seconded by Craig Rasmussen. All were in favor.

The motion was made by Phil Olsen to retain Greg Hansen as Water Commissioner for the coming 4-year term. A second to the motion was made by Jeff Clawson. It was recommended by Greg Hansen that we appoint as Deputy Commissioner, Clint Hansen, which would enable him to deal with liability issues in an official capacity. The State Engineer will implement this change. The motion was so made by Phil Olsen and seconded by Jon Lee. All were in favor.

We heard a brief report from the Division of Water Rights, Lee Sim, who explained some changes in personnel at the Division of Water Rights.

Lee Sim presented the 2008 financial report. A motion to accept as read was made by Craig Rasmussen and seconded by Ray Bankhead. All in favor.

We discussed a budget of salaries and other necessary expenses, particularly salaries for the commissioner and his deputy. The Deputy Commissioner needs to be covered by Worker's Compensation (insurance) and therefore, must be paid a salary. We decided that the \$4800 salary currently being paid to the commissioner will be split  $\frac{1}{4}$  or (\$1200) to the commissioner and  $\frac{3}{4}$  or (\$3600) to the deputy commissioner who does most of the "leg-work." (Social Security: Commissioner- \$92; Deputy- \$275. Insurance: Commissioner- \$12; Deputy- \$38.)

It was decided that these salaries are satisfactory and are adequate to cover expenses. A motion to accept the proposed change was made by Phil Olsen and a second to the motion was offered by Jeff Clawson. All were in favor.

Time was turned over to Lee Sims to discuss setting the distribution system assessment. We reviewed our own delinquent assessment accounts policy and learned from Mr. Sim that according to current DWR policy, any delinquent account will be charged a \$200 fee IF:

1. It is two years old.
2. It's over \$200.
3. It must not be four years old because then it's past the statute of limitations and will never be collected.

There are 2800 water user accounts. According to Mr. Sim, delinquent accounts are issued a "Notice To Cease Use of Water" until the account is paid. Mr. Sim brought to our attention the fact that in following current procedures for delinquent penalty process, The Division of Water Rights pays \$15 for each bill sent out--which means other systems with larger budgets are subsidizing our system.

Delinquent fees are charged a 10% penalty. The actual assessment fees will not change if we increase our delinquent fees. The recommendation to increase our fee from \$5 to \$20 was made by Phil Olsen. It was seconded by Jeff Clawson. One person, Craig Rasmussen, opposed the change. All others were in favor.

The motion to keep Gary Clawson as distribution system chairman was made by Phil Olsen and seconded by Jon Lee. All were in favor.

Lee Sim reviewed and updated his list of Little Bear River Water Users Company Representatives:

Dwayne Hall—Wellsville Eastfield Irrigation Company  
Jared Clawson—Hyrum Irrigation Company  
Gary Clawson—Chairman  
Jon Lee—Paradise Irrigation Company  
Phil Olsen—Porcupine Reservoir Company  
Ray Bankhead—Wellsville/Mendon Irrigation Company  
Ray Bankhead—South Cache Water Users  
Jeff Clawson—Porcupine/Highline Canal Company

Gary Clawson thanked all for their help and support. The water situations last year were well handled and there was an adequate supply for all. Porcupine Reservoir Company is at 8000 feet now, reported Phil Olsen, which is up 2500 feet from last year at this time.

The meeting was adjourned at 2:15 pm.