

THOMAS D. BASMAJIAN
5357 Cottonwood Lane
Holladay, UT 84117
801-278-2468

May 11, 2009

Lee Sims
Utah Division of Water Rights
PO Box 146300
Salt Lake City, UT 84114

RE: 2009 Minutes of the Annual Meeting

Enclosed, please find a copy of the Minutes of the Annual Meeting of the Water Users of the Lower Jordan River, held January 20, 2009.

Feel free to contact me at my home number, 801-278-2468, if you have any questions.

Sincerely,



Thomas D. Basmajian
Secretary

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MINUTES OF THE ANNUAL MEETING
OF THE WATER USERS OF THE LOWER JORDAN RIVER

The annual meeting of the Water Users of the Lower Jordan River Distribution System and representatives of the Division of Water Rights was held Tuesday, January 20, 2009, in a conference room of the Natural Resources Building, 1594 West North Temple, Salt Lake City, Utah. Present at the meeting were Lee Sim, Mike Silva and John Mann, Utah Division of Water Rights; Don Burnham, Burnham Duck Club; Dick Gilbert, Ambassador Duck Club; Lane Jensen, Rudy Duck Club; Fred Lewis, North Point Duck Club; Lynn Jensen, Lower Jordan Water Commissioner; Bill Kennick and Bill Domichel, Pacificorp; Rich Hansen and Eric Anderson, Utah Division of Wildlife Resources; Thomas Basmajian and O. Wood Moyle, New State; Bob Cummings, Individual; and Elliott Christensen, Brighton and NorthPoint Irrigation.

Fred Lewis served as the Chairman of the meeting; O. Wood Moyle was present, but Thomas Basmajian served as Secretary.

The Minutes of the Annual Meeting held January 15, 2008, were read by Thomas Basmajian and were unanimously approved.

The 2008 Annual Commissioner's Report of the Lower Jordan Water Distribution System was then distributed.

The report of Commissioner Lynn Jensen was given and reviewed. There was a discussion held in regards to the Goggin drain. It was agreed the Goggin drain needs additional maintenance and repair. Lee Sim agreed to review the operation agreement with the county to determine who is responsible for maintenance of the Goggin drain. Additionally, it was decided Lynn Jensen will act as the Water Commissioner for one more year and Lane Jensen was selected to act as Deputy this year with

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anticipation of becoming the new Water Commissioner next year. Thereafter, on motion made and seconded The Commissioner's report was accepted.

Fred Lewis indicated there was no legal action to report. Report included no income or disbursements in the existing legal action bank account. Mr. Lewis reported he would be moving the existing bank account to a new institution selected by Mr. Lewis and new signature cards will be executed.

Lee Sim presented the 2008 financial report which on motion made and duly seconded was unanimously approved.

After discussion of the 2008 budget the following 2009 budget and assessment was moved, seconded and passed unanimously:

LOWER JORDAN RIVER DISTRIBUTION SYSTEM

2009 BUDGET EXPENDITURES

| <u>Description of Budget Item</u> | <u>Amount Approved</u> |
|--|-------------------------------|
| Salary – Water Commissioner | 10,000.00 |
| Social Security - Water Commissioner | 765.00 |
| Retirement - Water Commissioner | 1,590.00 |
| Insurance Premiums - Water Commissioner | 138.00 |
| Travel Expense - Water Commissioner | 9,000.00 |
| Salary – Deputy | 3,333.00 |
| Social Security - Deputy | 255.00 |
| Insurance Premiums - Deputy | 46.00 |
| Travel Expense - Deputy | 3,000.00 |
| Secretarial Expense | 100.00 |
| Committee Expense | 200.00 |
| Telephone Expense | 500.00 |
| Contractual Services | 350.00 |
| Miscellaneous Expense | 4,000.00 |
| State Engineer Assessment | 1,923.00 |
| TOTAL 2008 BUDGET | <u>35,200.00</u> |

The 2009 assessments are to be in the amount of \$35,000.00, the assessments to be computed on the same basis as in the past, i.e., first computation of the Brighton North Point's share, the balance to be assessed one-half to the river users and one-half to the surplus canal users, in the proportion of rights claimed, with a minimum of five dollars, actual computations to be made by the Division of Water Rights.

In connection with the distribution of water for the coming year the following motion was moved, seconded, and passed unanimously.

RESOLVED: That in the event of low water this year, "low water" being defined as below 325 second feet of water owned by users below the diversion between the Jordan River and the Surplus Canal and excluding water not owned by users below that diversion point, the water owned by users below the point of diversion between the Jordan River and the Surplus Canal is to be divided one-half to the river and its users and one-half to the Surplus Canal and its users for the water year 2009 without prejudice to any of the legal rights of the parties involved.

RESOLVED: If the foregoing allocation is not acceptable in operation then corrective action will be taken within twenty days after notice to the Water Commissioner. Any one of the following river users, New State, Inc., Farmington Bay WMA, Pacificorp Energy or any other aggrieved river user may request that this resolution be adjudicated in a court of law.

RESOLVED: That the Committee of the Lower Jordan Water Users Association be and it is hereby authorized and directed to take such steps as are necessary or appropriate to effectuate the foregoing resolutions.

BE IT FURTHER RESOLVED: That the foregoing three resolutions with applicable updates for each successive year shall be and remain in full force and effect for later water years until further legal resolution by the Lower Jordan Water Users Association.

It was the consensus of the body that a reference to the foregoing resolutions with applicable updates of the water years applicable should be included in the minutes of the annual meeting of the Association each year.

Upon motion duly made, seconded and unanimously carried, the following persons were named to act as members of the Lower Jordan Water Users Association Committee for the coming year and until their successors are elected or appointed:

Dick Gilbert
4071 Minuet Court
West Valley City, UT 84119

Secretary – Thomas D. Basmajian
5357 Cottonwood Lane
Holladay, UT 84117

Richard Staples
4711 South Bench Creek Road
Woodland, UT 84036

Claudia Conder
Utah Power & Light Company
1407 West North Temple, Suite #110
Salt Lake City, UT 84116

David Hinckley
3500 North 2200 West
Salt Lake City, UT 84116

Chairman – Fred Lewis
3011 South Orchard Drive
Bountiful, UT 84010

Elliott Christensen
40 East South Temple, #300
Salt Lake City, UT 84111

Bryan White
2527 South Breeze Drive
Magna, UT 84044

Richard Hansen
Division of Wildlife Resources
2004 North 1400 West
Clinton, UT 84015

Upon motion made, seconded and passed unanimously Mr. Lewis was elected Chairman and Mr. Basmajian, Secretary, of the Committee. Furthermore, the committee would like to extend its appreciation to O. Wood Moyle for the many years of service provided.

There being no further business the meeting was adjourned.



Secretary of the Meeting