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RECEIVED

JAN 20 2004

WATER RIGHTS  
SALT LAKE

January 15, 2004

Mr. Lee Sim  
Division of Water Rights  
1594 West North Temple, Suite 220  
Salt Lake City, UT 84114-6390

Re: Minutes of the Annual Meeting of the Water Users  
of the Lower Jordan River

Dear Mr. Sim:

Enclosed is the original of the Annual Meeting Minutes  
for 2004. Copies should be distributed to Members of the  
Committee with the 2003 Annual Report of the Lower Jordan Water  
Distribution System and the Engineer's Financial Report attached.

Very truly yours,

MOYLE & DRAPER, P.C.



O. Wood Moyle III

CWMIII\cb  
Enclosures

cc: O. Kent Covey (w\o encl.)  
Stephen Bamberger (w\o encl.)

**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 Wednesday, January 14, 2004, in a conference room of the Natural Resources Building, 1594 West North Temple, Salt Lake City, Utah. Present at the meeting were Lee Sim, John S. Larsen, Debbie Reese, Gertrudys Adkins, and Jim Riley, Utah Division of Water Rights; Lynn H. Jensen, Lower Jordan Water Commissioner; E. Fred Lewis, Northpoint Fur & Reclamation; O. Wood Moyle III, New State Incorporated; Justin Dolling, DWR Farmington Bay WMA; Richard N. Gilbert, Ambassador Duck Club; and John Athens, Rudy Duck Club.

Fred Lewis served as the Chairman of the meeting; O. Wood Moyle III served as Secretary.

The Minutes of the Annual Meeting held January 8, 2003, were unanimously approved.

The 2003 Annual Report of the Lower Jordan Water Distribution System was then distributed as well as the Engineer's update of the Financial Statement portion of that report. The 2003 Financial Statement was then discussed. It was agreed that the Billing Accounts of William G. Weaver and Edwin Y. Bolton be

transferred to inactive status, thereafter, on motion made and seconded the report was accepted and the Secretary directed to attach a copy of the above described report and update to the Minutes.

Fred Lewis circulated a Summary of Legal Actions for 2003 and presented a report with respect to it.

The report of Commissioner Lynn Jensen was given and reviewed. It was agreed that the Commissioner will investigate methods of improving the accuracy of flow measurement at several locations on the system. In particular readings at the 21<sup>st</sup> South Diversion Station are inaccurate, being too high, because of the damming effect of accumulated debris. The Commissioner was directed to investigate this problem and after contact with the Office of the Engineer, the U.S.G.S., and appropriate users to report his findings and suggestions to the Chairman of the Users for his valuation and, if appropriate, action. Thereafter, on motion made and seconded The Commissioner's oral report was accepted.

After full discussion it was agreed by the Water Users that Lynn Jensen's actions as Commissioner have been commendable and that no change in Commissioner be recommended. Lynn Jensen having been hired for four years starting in 2001, shall continue to serve during 2004.

Lee Sim reported that this year's State Engineer's

assessment will be seven and one-half percent of the prior year's expense.

After discussion of the 2004 budget the following budget and assessment was moved, seconded and passed unanimously:

**LOWER JORDAN RIVER DISTRIBUTION SYSTEM**

**2004 BUDGET EXPENDITURES**

<u>Description of Budget Item</u>	<u>Amount Approved</u>
State Engineer's Assessment	1,426.00
Salary	9,500.00
Social Security	727.00
Retirement	1,478.00
Travel Expense	6,000.00
Insurance Premiums	198.00
Secretarial Expense	100.00
Telephone Expense	400.00
Committee Expense	200.00
Miscellaneous Expense	<u>3,033.00</u>
<b>TOTAL 2004 BUDGET</b>	<b><u>23,062.00</u></b>

The 2004 assessments are to be in the amount of \$20,000.00, 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 2004 only and without prejudice to any of the legal rights of the parties involved.

**BE IT FURTHER 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 effect the foregoing resolution.

**BE IT FURTHER RESOLVED:** That the foregoing two 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 appointed:

Richard C. Skeen  
201 South Main Street, #1100  
Salt Lake City, UT 84111

Secretary - O. Wood Moyle III  
City Centre I, Suite 900  
175 East 400 South  
Salt Lake City, UT 84111

John Athens  
777 East 2100 South  
Salt Lake City, UT 84106

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

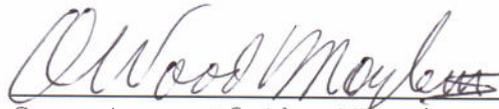
Elliott Christensen  
40 East South Temple, #300  
Salt Lake City, UT 84111

David Quinney  
423 E Broadway  
Salt Lake City, UT 84111

Justin Dolling  
Division of Wildlife Resources  
59 East Wicker Lane  
Bountiful, UT 84010

Upon motion made, seconded and passed unanimously Mr. Lewis was elected Chairman and Mr. Moyle, Secretary, of the Committee.

There being no further business the meeting was adjourned.

  
Secretary of the Meeting