

Minutes of the Lower San Pitch River Distribution System
In combination with the Upper San Pitch River Distribution System Meeting
January 31, 2007

Called to order at 10:04 a.m. by Larry Rawlings

Those present: Lee Sim, David Cox, Frank Eliason, Larry Rawlings, Reed Rawlings, Jay Olsen, Scott Mower, Garth Sorenson, Lyman Holyoak, Lee McElpray, Michael Larsen, Karl Larsen, Ronda Hall, Sherwin Sorenson, Allen Dyreng, Mardell Jensen, Clyde Mortensen, Terry Monroe, Kirk Forbush, David Beck, Kerry Nielson, Dick Christensen, Hal Pickett, Danny Boore, Tim Boles, Doyce Coates, John Larsen.

* Business was transacted by both Distribution systems during this meeting. The respective systems will hereafter be referred to as "*Upper*" and "*Lower*". Motions by the *Lower* system and combined group are recorded in these minutes. Refer to the official minutes of the Upper System for their completed motions.

Minutes of the *Upper* were read by, Reed Rawlings.

A question was entertained about well pumping affecting stream flow. Kirk Forbush and Terry Monroe gave answers that the affect was small, but that ground water recharge was tied to stream flow.

Minutes were approved .

Minutes of the *Lower* were read by, David Beck.

A correction was made that total water entering the lower Sanpitch in 2005 was recorded as; 167,957 acre feet, while the minutes stated 181,953 acre feet.

A question about the photo maps for the entire Sanpitch river with diversion and measurement sites to be provided to both commissioners, was raised by Frank Eliason. The commissioners did not receive the maps. Lee Sim replied that he would see to the maps in the immediate future.

Motion to accept the *Lower* as corrected

Made by David Cox

Seconded by Danny Boore

Vote: all present in favor.

Commissioner Report of the *Upper*, presented by Larry Rawlings.

Commissioner Report of the *Lower*, presented by David Beck

Beck reported that Total stream flow for 2006 was 166,920. Stream flows from the upper Sanpitch, Ephraim and Manti were slightly less than in 2005, with 9-mile and 12-mile stream flows were up from 2005. Total stream flow was 1,000 acre feet less in 2006 than 2005. Beck also reported that water to the Drainage district was 15,774 in 2006, down 200 acre-feet from 2005. Beck also reported that the Gunnison reservoir was

presently at 11,600 acre-feet. Though snow pack was down, the soil moisture was at saturation levels. Beck made reference to a letter from commissioner Roland Beck, who was not present, and suggested those present should read it.

Questions arose about stream flows from Spring City and pigeon hollow and the ditch flows from Ephraim and Manti. Were they counted in the drainage district?

Garth Sorensen stated they were not measured for the drainage district use. Water for the drainage district was measured as it flowed through the road culverts west of Ephraim and water flowing in the Bagnel canal.

David Cox stated that water from the Manti flood channel did not enter the drainage district.

A question arose about cloud seeding.

David Cox told of the cloud seeding project funded by the Conservancy district.

Motion to accept the *Lower* Report
Made by, Lyman Holyoak
Seconded by, Mardell Jensen
Vote: all present in favor

John Larsen made the financial reports of the *Upper* and the *Lower* Systems.

Motion to accept the financial reports
Made by, Larry Rawlings
Seconded by Frank Eliason
Vote: all present in favor

John Larsen conducted the budget and the assessment was set for the *Upper* System 2007

John Larsen conducted the budget for the *Lower* System 2007 as follows:

Beck, Roland	
Salary	3,000
Social Security	230
Insurance	30
Travel expense	3,000
Beck, David	
Salary	4,600
Social Security	355
Insurance	46
Sorenson, Garth	
Salary	2,400
Social Security	185
Insurance	24

Secretary Expense	20
Supplies & Equipment	500
Telephone Expense	600
Contract Service	1,600
Miscellaneous Expense	216
State Engineer Assessment	1,294
Annual Report	100
Totals	18,700

A motion to approve the budget of the *Lower* system

Made by, David Beck

Seconded by, Lyman Holyoak

Vote: all present in favor

A motion to set the assessment of the *Lower* System for 2007 at 17,600

Made by Danny Boore

Seconded by Hal Pickett

Vote: all present in favor

A motion to leave the committee of the *Lower* system the same as in 2006

Made by David Cox

Seconded by, David Beck

Vote: all present in favor

The committee for 2007 is:

Chairman	Dave Cox
Vice chairman	Allen Dyreng
First chairman	Clair Otten
Second chairman	Doug Wilden
Third chairman	Rex Nielsen
Fourth chairman	Richard Nielsen
Fifth chairman	Sherwin Sorensen
Sixth chairman	Jay Olsen

Lee Sim presented a draft of Administrative Rule R655-15. Distribution systems and water commissioners. This draft dated 1/16/07 would have a comment period of three months. Those present were requested to read the draft and make written comments until April 16th 2007. These rules were to standardize all the distribution systems rules in the state.

One change Lee noted would be that deputy commissioners would be appointed by the state engineer rather than hired by the distribution system.

Clyde Mortensen was given time to report on pond construction near Fairview. Fish and frog ponds were being built without any water rights. Persons had filed on water from un-named springs and were using water, which had previously flowed, into the Sanpitch

River. He also noted water had been diverted from a canal above his own diversion point, ran through a frog pond and returned to the canal below his diversion point.

Kirk Forbush replied that water cannot be used without a permit.

Mortensen also commented on a pond constructed by a company *Devils Pass* operated by Leon Day. This pond was larger than 10 acre feet and Leon Day had a water right of 1.28 second feet. Leon Day was receiving Government funding to build this pond and had plans to build 2 additional ponds.

Kirk Forbush reported that he was aware of this pond and maximum storage allowed was 4 acre-feet. The state engineer would not prevent or limit the size of ponds but could regulate water flowing into or out of a pond. Ponds without a storage right were not allow to contain more than 48 hours of water use.

A question was raised about legislation on sewage use for irrigation of agricultural land and the transfer of municipality affluent water with agricultural surface water.

Lee Sim reported that domestic use cannot be transferred to any other use. Municipal rights are more flexible for alternative uses, but cannot be traded with other water rights. First water rights determine what is available for water uses.

Meeting adjourned at 11:45 a.m.