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WATER RIGHTS  
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UNAPPROVED  
MINUTES OF THE MILFORD VALLEY DISTRIBUTION SYSTEM  
ANNUAL MEETING  
Milford City Hall, Milford, Utah  
February 21, 2008

The meeting was called to order at 1:35 P.M. with Mr. Keith James conducting. He welcomed all present. Mr. James then asked Ms. Smith, secretary, to read minutes of the 2007 Annual Meeting. Mr. Mike Yardley moved and Mr. Arlan Mayer seconded that the minutes be approved read. Vote was unanimous.

Mr. LaVar Davis presented the 2007 Commissioner's Report. Circle 4 opened two new wells this year, bringing their total to fifteen. One is a construction well. Water users with both Rocky Ford and underground aquifer rights must have operable meter. Exception: if water user has ample water shares to cover all land under cultivation. Mr. Davis will retire in 2009 at mandatory age of 75. Ms. April McKeon, co-commissioner, and Mr. Davis were accompanied by Mr. Mike Silva, Division of Water Rights, on July 18, 2007 for tour of the area. Ms. McKeon explained maps. Two water users were over allotment, one in question, and approximately 472 acres that could have been watered were not in production. Aerial photos will not be taken each year due to budget constraints. Ms. McKeon will work from the 2006 map until 2009 or 2010. Mr. Mike Yardley offered a motion to accept the report. Mr. Tim Marshall seconded. Motion carried.

Mr. Mike Silva presented a report from the Division of Water Rights. When water rights are sold the sale needs to be recorded with the Division of Water Rights and with the Distribution System. Water rights are posted on the internet. If an upstream (Beaver) violation is observed, submit such to Ms. McKeon for investigation. Ms. McKeon will not go onto private property, but will drive parameter only. Violations will be turned over to Mr. Kerry Carpenter, Enforcement Engineer. Mr. Carpenter will act as the official witness in the proceedings, allowing identity of the referring party to be kept confidential.

The 2007 financial report shows a beginning balance of \$10,373.50. Assessments were \$11,062.37. Additional penalties and interest brought total receipts to \$12,261.55. Budgeted expenditures were \$12,596.91. The remainder of Ms. McKeon's contract amount from 2006 is listed as an unbudgeted expenditure of \$4,481.83, making \$17,078.74 in total expenditures for the year. Ending balance was \$5,556.71. Mr. Arlan Mayer moved and Mr. Mike Yardley seconded approval of the financial report. Motion carried.

The 2008 budget was set at \$14,950.00. Travel expense for the co-commissioners was increased. Additional supplies and equipment were excluded for the current year. Ms. McKeon's salary was increased by \$2,000.00 to cover an additional 40 hours work. The State Engineer assessment went from \$545.00 to \$1,240.00. Mr. William Dalton entered a motion to accept the budget. Mr. Mike Yardley seconded. Vote was unanimous.

The distribution system assessment was set at \$1.15 per acre, an increase of \$1,420.00. Mr. Mike Yardley moved and Mr. Joe Leko seconded acceptance of the assessment. All in favor.

Mr. Joe Leko was thanked for his five years of service as a committee member. Mr. Mike Yardley nominated Mr. Dick Naruse to replace Mr. Leko on the committee. Mr. Leko seconded. Mr. Tim Marshall moved that all nominations cease and that Mr. Naruse be elected by acclimation. Vote was unanimous. Committee members are: Mr. Keith James, Mr. Mitch Dalton, Mr. Scott Wiseman, Mr. Mike Yardley and Mr. Dick Naruse. Chairman for 2008 will be chosen by the committee when they meet.

With no other business brought before the board, Mr. Keith James moved and Mr. Tim Marshall seconded that the meeting be adjourned at 2:40 P.M.. All in favor.

Note: This meeting was recorded and is available online at [www.waterrights.utah.gov](http://www.waterrights.utah.gov) - meetings - distribution meetings - Milford.

Those attending the meeting:

| Name              | Representing                    |
|-------------------|---------------------------------|
| Lee Sim           | Utah Division of Water Rights   |
| Mike Silva        | Utah Division of Water Rights   |
| Alice Smith       | Secretary                       |
| Kurt Vest         | Utah Division of Water Rights   |
| Nathan Moses      | Utah Division of Water Rights   |
| Raymond Jackson   | Jackson 3 LLC                   |
| Jaren Scott       | Circle 4 Farms                  |
| Jim Webb          | Circle 4 Farms                  |
| David Myers       | Circle 4 Farms                  |
| Joe Leko          | Green Diamond Ranch             |
| Joe Leko          | Rimpau Farm                     |
| Mitchell Dalton   | Self                            |
| Chad Dalton       | Self                            |
| Nicholas Leko     | Self                            |
| Dick Naruse       | Naruse's Farm                   |
| Michael Yardley   | Michael Yardley Farms LLC       |
| Tim Marshall      | Self                            |
| William L. Dalton | Self                            |
| Ben James         | James Farm                      |
| Scott Wiseman     | Wiseman Farms - Running W Ranch |
| Allan Mayer       | A & S Farms                     |
| Arlan mayer       | Self                            |

**LaVar Davis**  
**April McKeon**

**Water Commissioner**  
**Water Commissioner**