

Informal Discussion
Milford City Office - February 19, 2009

Keith called meeting to order at 12:30 P. M.

Milford Valley Distribution System committee and Rocky Ford Irrigation representatives met with Division of Water Rights officials for an informal discussion of upstream surface and supplement well water usage.

Those in attendance were: Milford Valley Committee Mitch Dalton, Tim Marshall, Scott Wiseman, Dick Nourse, Mike Yardley, April McKeon, Keith James; Todd Marshall and Mark Truman represented Rocky Ford; Division of Water Rights was represented by Lee Sim, Nathan Moses, Kurt Vest, Vance Twitchell, and Aaron Hunt; Alice Smith, secretary.

Lee explained that Vance will spend time documenting surface water this year.

Lee said that steps are being taken to see that headgates are regulated.

Keith related concern that ditch water diverted for stockwatering may not be returned to the river. Lee concurred that water diverted for stockwatering should not be used for irrigation.

Mark discussed submitting a referral and asked if required metering might be a result of the action. Lee answered that the department can't be selective of who is demanded to have a meter.

Photos of suspected violations can be attached to referrals. Lee recommended that such referrals be submitted immediately, as situations can change quickly.

Lee and April explained the steps for submitting a referral. April will further assist water users with obtaining forms and other protocol on an individual basis if needed.

Mike related his experience with Devil Creek surface water. He said that the stream flow goes down visibly when his neighbor starts pumping. Kurt informed him that he could take the issue to court because of the impairment. The burden of proof would, however, be on Mike.

Upstream supplemental wells are turned on April through November.

Barton ditch entitlement discussed. Todd referred to a report of 16 feet in said ditch. Supplemental rights appear not tied to acre feet.

Patterson Dam Rule discussed. Kurt said that the department had mapped decree areas against current usage and found that they were relatively the same.

Anything above Patterson Dam gets water first although lower water rights are dated earlier.

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Mark said he does not get Rocky Ford water in summer.

April asked why upstream supplemental wells were permitted. Kurt answered that during the drought of the 1930's users were guaranteed full water right.

Kurt explained that sprinklers above the dam are cited as a conservation measure, although they use more actual water.

Mike reminded Division of Water Rights representatives that upstream production has increased from one and one-half crops of hay to three crops per year by the use of sprinklers.

Beaver City water usage was discussed. Undocumented discussion indicated a possibility of considerable over usage in 2008. Division representatives were noncommittal.

Lee concluded that the division will look at upstream surface water usage this year. Next year they may be able to start looking at the supplemental wells.

Keith said that the committee has allocated money to April for upstream research. What is the best course for her? Lee answered that her work this year has been beneficial and she should continue.

No official action was taken or recommended.

Meeting adjourned at 1:20 P.M.

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UNAPPROVED MINUTES
MILFORD VALLEY DISTRIBUTION SYSTEM
ANNUAL MEETING
Milford City Hall, Milford, Utah
February 19, 2009

The meeting was called to order at 11:10 A.M. with Mr. Keith James conducting. He welcomed all present. Mr. James asked Mr. Lec Sim to read minutes of the 2008 Annual Meeting. Ms. April McKeon moved and Mr. Mike Yardley seconded that the minutes be approved as read. All in favor.

Mr. LaVar Davis presented the Commissioner's Report. Mr. Davis and Ms. McKeon toured the entire distribution area in August of 2008. They reported that there are no more changes in the fifteen Circle 4 wells that the commissioner monitors. One of those wells has been out of service for the entire year. Mr. Robert Christiansen moved and Mr. Mike Yardley seconded that the Commissioner's Report be approved. Unanimous.

State guidelines require that Mr. Davis must retire because he has reached the age of seventy-five. Mr. James reported that the committee had asked Ms. McKeon to take over as commissioner. Commissioner salary will be transferred to Ms. McKeon. Mr. Mike Yardley entered a motion to accept the change. Mr. Tim Marshall seconded. All in favor.

Mr. Sim thanked Mr. Davis for his service on behalf of the Division of Water Rights. He reported on other personnel changes at the Division. Mr. Kent Jones has replaced Mr. Jerry Olds as State Engineer. Mr. Jones has been with the Division for sometime and has run water protest meetings. Mr. Sim expressed that Mr. Jones is very good to work with, and Mr. James confirmed that the local committee is looking forward to the association. Mr. Vance Twitchell has been added to the staff. He will be working mainly with surface water this year.

Mr. Sim read the financial report. The beginning balance was \$5,556.71. Additional penalties and interest brought total receipts to \$15,373.95. Budgeted and unbudgeted expenses totaled \$13,957.89, leaving an ending balance of \$6,972.77. Mr. Mike Yardley moved and Mr. Mitch Dalton seconded approval of the financial report. All in favor.

Six delinquent assessments totaling \$1,276.73 were recorded as of December 31, 2008. Account #101283 Max Mayer is to be changed to Don Mayer.

The 2008 budget was reviewed. Mr. Robert Christiansen asked when item #13 State Engineer Assessment was added to the budget. Mr. Sim answered that it had been a budget item for several years and is used for clerical support. Mr. Mike Yardley entered a motion to set the budget and assessment for 2009 the same as 2008 with the exception of moving commissioner salary and travel expenses from Mr. Davis to Ms. McKeon. Mr. Mitch Dalton seconded. Unanimous.

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Mr. Keith James's 5-year committee term ended this year. Term for Mr. Scott Wiseman ends in 2010; Mr. Mitch Dalton in 2011; Mr. Mike Yardley in 2012; Mr. Dick Naruse in 2013. Mr. William Dalton entered a motion to keep the committee as it is with Mr. James serving as chairman for one more year. Mr. Wiseman seconded. All in favor.

Ms. McKeon advised that there will be one set of maps available for review in the city office. Temporary changes are easily identifiable by the "T" next to the number.

Ms. McKeon said she has all water rights, including upstream supplemental, tabulated. She does not yet have a formula for tracking supplemental usage. Mr. James asked about headgate violations. Mr. Sim referred to a North Creek violation. Aerials of the entire state will be flown this year. Mr. Vest clarified that a permit is required if more than 20 acre feet of water is retained in a holding pond for more than 24 hours. Smaller amounts do not require permitting.

Ms. McKeon will keep track of time expended for monitoring Circle 4 and the geothermal operation. It will be evaluated next year to determine if a commercial assessment is needed.

Mr. Sim requested that users do water transfers as early as possible.

With all business being completed, Mr. Mike Yardley moved to adjourn at 12:10. Mr. Tim Marshall seconded. All in favor.

Note: This meeting was recorded and is available online at www.waterrights.utah.gov - meetings - distribution meetings - Milford.

Those attending the meeting:

Name	Representing
Tim Marshall	Self
Scott Wiseman	Running W Wiseman Farm
Billie Dalton	North Springs, LC
Dick Naruse	Naruse's Farm
David Christiansen	Christiansen Farm
Robert Christiansen	Christiansen Farm
James A. Mayer	Don Mayer Farm
Allan Mayer	A & S Farms
Jim Webb	Circle 4 Farms
Jaren Scott	Circle 4 Farms

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David Myers
 Raymond Jackson
 Ron Wunderlich
 Nedra Kennedy
 Ben James
 Sid Marshall
 Joe Leko
 Joe Leko
 Mitchell Dalton
 Chad Dalton
 April McKeon
 Keith James
 LaVar Davis
 Nathan Moses
 Kurt Vest
 Vance Twitchell
 Aaron Hunt
 Lee Sim
 Alice Smith

Circle 4 Farms
 Jackson, LLC
 Western Utah Copper
 Milford City
 James Farm, Inc.
 Bar F Ranch
 Green Diamond
 Rimpau Farm
 Self
 Self
 Self
 James Farm
 Commissioner - Now Retired
 Division of Water Rights
 Secretary

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