

MINUTES OF THE MILFORD VALLEY DISTRIBUTION SYSTEM
ANNUAL MEETING
Milford, Utah
February 27, 2002

The meeting was called to order at 10:00 a.m. with Mike Yardley, conducting. He welcomed everyone to the meeting and then asked John Larsen, of the Division of Water Rights to read last year's minutes. There were no corrections needed to the minutes so a motion was made by Robert Christiansen to accept the minutes, second by Elmer Tim Marshall, all approved.

Mr. Yardley then asked Lee Sim to read last year's financial statement. At the beginning of the year, the balance of the distribution funds was \$5,136.98, receipts at \$3,122.32, expenditures at \$3,539.83, for an ending balance of \$4,719.47. There were seven accounts delinquent at the end of the year for a total of \$551.01. Lee discussed new collection procedures to be implemented this year by the Division of Water Rights with respect to delinquent accounts on the distribution systems. A motion was made by Chad Dalton to accept the financial report as given, seconded by Joe Leko, all approved.

Mr. Yardley then requested a report from Commissioner Lavar Davis for the year. A prepared commissioner's report was passed out to the water users. LaVar indicates he monitors fifteen Circle Four wells and seven of the fifteen now have meters above ground so they can be easily read. Seven private irrigation wells that are supplemented by Rocky Ford Irrigation Co. water were pumped this past season. Mr. Davis and Mr. Larsen of the Division of Water Rights performed trips across the Milford Valley the sixth of June and then again the seventh of August monitoring irrigated lands. Joey Leko asked if the stockwatering wells in the valley are regulated. Lee stated that private stockwatering wells are not regulated by the Division of Water Rights, however if stockwatering rights are moved to another location then the water right can not be beneficially used at the original location. Lavar also mentioned the postings of change applications in the post office are being removed from the board. He requested they be left posted so all water users have access to them. He also mentioned the current snowpack on the upper Beaver River drainage is at 48% of normal.

A report from John Larsen of the Division of Water Rights indicates in the six years the Division and water commissioner have been monitoring the irrigation of the Milford Valley, the number of over irrigators has decreased beginning in 1996 from 32 users, 845 acres over, to 3 users and 33 acres over. The total valley irrigation from groundwater has decreased from 15,319 acs to 12,410 acres.

Lee reported the trend of ground water levels this past year have been downward three to five feet, valley wide. Lee also mentioned that Jerry Olds is the new State Engineer and he will be giving a presentation at the Water User's Workshop in St. George in March, discussing ground water regulation by priority date.

Kerry Carpenter discussed the Chris Marshall farm. Chris had problems with pumps on his farm and it appeared that he was not irrigating, however he was able to raise 215 acres of alfalfa this past year. Circle Four farms over pumped approximately 90.0 acre feet of their water rights this past year. They under used their water rights in 1998-1999 by 500 ac. ft. Mr. Peterson stated the company will build in a 100 acre foot buffer so they don't go over in water use in the future.

Robert Christensen asked about non-use water rights. Kerry responded that filing

Applications for Nonuse of Water require knowing when the water was last used, how it was used, and the extent of irrigation. A water right can then sit idle for up to five years before 60 day notice is received from the Division of Water Rights office at which time an extension of time is required to keep the water right in good standing. If the extension of time is not filed, then the water right must be put to beneficial use to keep it alive. Temporary changes can be filed on these types of water rights to move the use of the water.

Mike Yardley requested there be correlation between the Beaver area and the Milford area water users and that the Beaver River commissioner report be included in the Milford Valley report. Keith James asked for an accounting of ground water use in the Beaver Valley. Mr. Sim indicates the mapping done by the Division of Water Rights in 1997 showed no increase in overall irrigation in the twenty years since the Proposed Determination of Water Rights was completed of the valley in 1977.

Warren Peterson asked what is done to assure the Milford users the amount of water coming over the Minersville dam is the correct amount. Mr. Sim stated the Beaver Valley users are using the legal amounts of water according to the decree. Robert Christiansen mentioned that he is apposed to State Engineer regulating by priority date in the Milford Valley. With no further discussion a motion to accept commissioner's report was made by Joe Leko, seconded by Warren Peterson, all approved.

Mr. Yardley then discussed the budget for the upcoming year. Mr. Sim mentioned the Division of Water Rights will be flying the valley this year in the month of June so an amount for contractual services with need to be budgeted. Mr. Sim also mentioned because of budget cuts by the governor to the Division of Water Rights, the Division will begin assessing the distribution systems for the calculating and preparing of assessments, processing assessment payments, disbursing of distribution funds, accounting, maintaining and updating distribution assessment accounts, etc. The state will begin assessing the distribution systems for this service beginning this year and for the next two years. This year's assessment will be at 2.5% of the 2002 budget or \$118.00. The following years the rate will be 5.0% and 7.5% respectively. He also emphasized the funds will be used only if necessary because of the budget shortfalls. This will be shown as a line item on next year's financial report and the amount used if any will be indicated.

A motion was made by Robert Christiansen to leave all budget line items the same except for the \$1400.00 for contractual services and the amount for the state assessment at \$118.00 and the assessment to be the same as for 2001. The budget total was proposed at \$6,246.00 and the assessment at \$3,168.00. The motion was seconded by Keith James, the voting was unanimous.

Mr. Yardley then discussed the board of directors. A motion was made by Warren Peterson to suspend the rules and vote the existing board of directors back in by acclamation. The motion was seconded by Robert Christiansen, the voting was unanimous. The Board of Directors is as follows:

Jerry Mayer	Chairman
Mike Yardley	Board member
Robert Christiansen	Board member
William Chad Dalton	Board member
Dean Eyre	Board member

With no further business, the meeting was adjourned at 11:35 p.m.

Those attending the meeting:

Name

Representing

Lee Sim	Division of Water Rights - SLC
John S. Larsen	Division of Water Rights - SLC
Kerry Carpenter	Division of Water Rights - Cedar City
Kurt Vest	Division of Water Rights - Cedar City
Michael Yardley	Board member
LaVar Davis	Water Commissioner
Elmer Tim Marshall	Self
Warren Peterson	Circle Four Farms
Ron Wunderlich	Circle Four Farms
Robert Christiansen	Christiansen Farms
David Christiansen	Christiansen Farms
Allan Mayer	Self
Arlan Mayer	Self
Hariuchi Naruse	Self
Chad. Dalton	Dalton Farms
Scott Wiseman	L & W Ranch
Dean Carter	Self
Dean Erye	T & D Ranch
James Mayer	Self
Joe Leko	Green Diamond Ranch
Ben James	James Farm
Keith James	James Farm
Gary Sullivan	Sullivan Farm
Larry Neff	Sullivan Farm