

ANNUAL WATER USER'S MEETING  
FEBRUARY 17, 1999

The Annual Water User's meeting was called to order by chairman Keith James on February 17, 1999 at 10:10 a.m.. The minutes were read from the 1998 annual meeting by secretary Beth James. Dick Mayer made the motion to approve the minutes as read, Tim Marshall 2<sup>nd</sup>. Motion carried. There were 13 water right owners represented and 4 State representatives in attendance.

Chairman James turned the time over to Lee Sim to give the financial report for 1998. Warren Peterson made the motion to approve the financial report, Alan Mayer 2<sup>nd</sup> and motion carried.

Chairman James turned the time to Water Commissioner, LaVar Davis. Commissioner Davis reported that since last year he has gained 4 additional wells from Circle Four Farms to monitor. This brings the total number of wells he is monitoring on a monthly basis to 15. He reported that of the Rocky Ford water owners, only one well was pumped during the last pumping season. Jim Mayer disputed this. Commissioner Davis then referred to his record book and went over the list of wells and verified said findings. ~~Max~~ Mayer disputed his report. Jim Mayer said that some of the Rocky Ford water users wells were tied into to their other wells. LaVar stated his findings once again. He also stated that of the two wells he was given to inspect because of over pumping, only one was shut off and not used during the 1998 irrigation season. Alan Mayer requested to know the names of the persons that he was referring to. Commissioner Davis reported that it was Max Mayer who didn't water and Howard Marshall that watered illegally. Alan wanted to know what the State Engineers office was going to do about this. Lee Sim reported that Howard had been issued papers informing him that legal action would be taken if he didn't discontinue.

Several water right users said they believe the Aerial Maps to be inaccurate. Joey asked Lee if he felt the maps were accurate. Lee stated that he believed they were accurate for the time the photos were taken. Max Mayer stated that he felt they were totally wrong. Joey Leko asked when the State was going to take the aerial photos. John Larsen responded by saying sometime in June depending on the weather. Joey made the motion to have the Commissioner make a ground inspection report on or about the 15<sup>th</sup> of September to verify what the Aerial maps are showing. Arlan Mayer 2<sup>nd</sup>. Motion carried. Lee stated that the ground inspection would only verify what was accurate for September 15<sup>th</sup> and not what was being used in June.

Max Mayer asked what the State was going to do if they found more who were over pumping. Lee stated the State's attorneys have informed them they only have the funds to prosecute one abuser of water rights in our system each year and therefore

choose the abuser that has a clear cut case. Cary stated that the water users need to take personal responsibility to get under compliance. The government doesn't have the funds or the legal right to do more than what the 'people' dictate to them.

Chairman James presented the proposed 1999 Budget proposal (see attachment). Keith asked for a motion to be made to accept the proposed budget. Max Mayer asked what good was the budget when it didn't accomplish anything for the water owners. Keith stated that he agreed what the reports had shown were not perfect but they were improving. At this point in the meeting there was much discussion as to the value of the State Engineers involvement in the Milford Valley. After a heated discussion, Keith asked if anyone wanted to make the motion that the State Engineers involvement be discontinued. There was no comment. Joey made the motion to accept the 1999 Budget Proposal. Jim Mayer 2<sup>nd</sup>. Max Mayer opposed. Motion carried.

Joey asked Warren Peterson if Circle Four would be adding more wells for the Commissioner to inspect. Warren stated they would not be drilling any new wells in 1999, only transferring water. Lee explained that the State would no longer approve Change applications that were filed after the pumping season began. Warren stated that Circle Four planned to file temporary changes. Cary said that would be fine as long as they are filed and approved before they are used and to remember they need to be posted for 20 days prior to being approved.

Chairman James proposed that the Water Users retain Commissioner LaVar Davis since he is seasoned and experienced as to the responsibilities of the commissioner. Jim Mayer made the motion to appoint Ronald Walker. Motion was withdrawn. Max Mayer made the motion to appoint LaVar. Jim Mayer 2<sup>nd</sup>. Motion carried.

Keith said that he had now served on the Water Board for 5 years and was stepping down. He asked for nominations for a new Board member. There was no response. He then asked for Tim Marshall to serve. Tim declined. Warren Peterson stated that Circle Four was the largest water holder and if anyone wanted to nominate someone from Circle Four to be a board member he would assure the users that said board member would be in attendance at all meetings. Joey nominated Chad Dalton. Alan 2<sup>nd</sup>. Motion passed. Warren made the motion if Chad Dalton declined the Board appoint a member. Joey 2<sup>nd</sup>. Motion carried. It was noted that a secretary would also need to be selected.

Joey expressed the need to have a ground water study done for Milford Valley. He stated that there would be a meeting held on March 8<sup>th</sup> and he asked for a representative from the Milford water users be in attendance. A lengthy discussion followed. Lee Sim had given Joey a copy of the 1983 ground water study and Joey

felt a more complete and updated report was needed. Jim Mayer agreed to represent the water users at the meeting.

Meeting adjourned at 12:05.