

**MINUTES OF A JOINT MEETING WITH THE STATE ENGINEER'S OFFICE AND OGDEN RIVER
WATER RIGHTS ASSOCIATION HELD IN THE COUNTY COMMISSION BOARD ROOM AT 3:45 P.M.
JANUARY 10, 1961**

Present were:

Representatives of the State Engineer's Office:

Clarence Erickson
Donald C. Norseth
Richard Pexton
Frank Rees
Wayne D. Criddle

Representatives of Ogden River Water Rights Association:

Chairman Jack M. Jones
James N. Randall
D. G. Hodson
Horace C. Rhee
Charles L. Hislop
Clarence Smith
Haynes Fuller
E. J. Fjeldsted, Secretary

J. Floyd Barnett, Ogden River Commissioner
Robert B. Porter, Utah Power & Light Co.
D. Earl Harris, Weber River Water Rights Committee

Wayne D. Criddle, State Engineer, explained the purpose of this meeting was to secure recommendations from the Ogden River Water Rights Association with reference to matters pertaining to the proper distribution of the water resources of the Ogden River, plans of assessment, the annual budget, and recommendations for a river commissioner for the operational year 1961. In commenting on the finances State Engineer Criddle stated there was a difference of opinion between the State Treasurer Department and the State Engineer Dept. as to proper handling of assessment funds received by the State Engineer through his collection program. The State Engineer contends that these funds are owned by the river water users who made the payment, and are collected and dispursed by the State Engineer as a trust entity. He felt their position was secure in this approach.

He stated there were problems in the other distribution area that was giving the commissioner considerable concern. That was on the Mill Creek Canal distribution channel. He stated that this problem seemed to be caused primarily by intrusion of weeds, plants and all types of vegetative matter, including many kinds of moss and algae, and it was his opinion that very little had been done by the distributors on this transportation channel to keep it in repair. He stated that if these structures are not properly taken care of, the commissioner has the authority and must request the users of this particular facility to make proper repairs, build proper structures, and take proper cognizance of the maintenance. If the users neglect to do this very thing after being requested by the river commissioner, the State Engineer would then inform the users that at a certain date all these improvements, which he would list, would have to be accomplished. If not, the job would be done and charged to the users of this facility. This was discussed by the members of the Association and while the Association recognized that it was not their responsibility to follow through on a corrective program, the Association chairman, Mr. Jones, volunteered to call the users of Mill Creek together and determine what procedure should be followed to the end that this facility may be properly rehabilitated and properly maintained. The State Engineer was appreciative of this voluntary help.



Page 2 - Joint Meeting - Ogden River Water Rights Assoc. & State Engineer

With reference to funds collected from water users on the Ogden system and in the possession of the State Engineer's Office, the Board was in accord with the State Engineer's approach and assured him that it was their feeling that this money belonged to the users and if we could be of service to the State Engineer's Office in retaining these funds where they properly belonged we would be anxious to lend our support to back his program. Following this review by the State Engineer, Mr. Jones requested Mr. ~~Smith~~ ^{RHEES} to read the minutes of the meeting held in 1960 prior to establishment of the organization, and make the financial report for the immediate past year. The following report was submitted by Mr. Rhees including a detailed breakdown of expenses and bills which are a part of these minutes and were approved in a motion by Horace Rhees and seconded by Director Smith. The motion carried.

STATEMENT OF RECEIPTS AND EXPENDITURES FOR THE OGDEN RIVER DISTRIBUTION SYSTEM COVERING THE PERIOD OF JANUARY 1, 1960 THROUGH DECEMBER 31, 1960

State Engineer checkbook balance December 31, 1959		\$1,265.05
Total receipts*	\$2,860.16	
Total expenditures	2,727.53	
State Engineer checkbook balance December 31, 1960		1,397.68
Bills payable	\$ 41.50	
Net cash on hand		1,356.18

*Note: Regular assessments \$2,835.97
 Special collections
 for late payments 24.19
 Total receipts \$2,860.16

(Prepared by Frank Reese, Business Manager)

1960 Budget Item #	Description of item	Amount Approved for 1960	1959 Budget	1960 Budget	Total Expenditures	Bills Payable 1961
1	Commissioners salary	\$1,925.00	4.38	\$1,989.25	\$1,913.63	\$15.75
1-A	Matching Social Sec.	57.75	4.37	42.00	46.37	15.75
2	Auto travel	610.00	-0-	610.00	610.00	-0-
3	Bonds & Ins. Premiums	30.00	3.77	6.49	10.26	-0-
4	Misc. Expense	50.00	-0-	21.59	21.59	-0-
5	W/Users' Committee Exp.	10.00	-0-	-0-	-0-	10.00
6	Comm. Annual Report(1959)	150.00	-0-	125.68	125.68	-0-
TOTAL		\$2,832.75	\$12.52	\$2,715.01	\$2,727.53	\$41.50

DETAIL OF EXPENDITURES:

1	Commissioner's salary		-0-	\$1,746.35	\$1,746.35	-0-
1-A	Federal Taxes		-0-	113.00	113.00	-0-
1-B	Social Security Tax		\$4.38	42.00	46.38	\$15.75
1-C	Utah State Tax		-0-	7.90	7.90	-0-
1-D	Gross Salary	\$1,925.00	\$4.38	\$1,909.25	\$1,913.63	\$15.75

1960 DELINQUENT ACCOUNTS - OGDEN RIVER DISTRIBUTION SYSTEM

Name & address	Account No.	Total Due
Anderson-Felt-Ditch Co.	No. 1	\$18.32
Charles Story	No. 17	3.02
Huntsville So. Bench Canal Co.	No. 21	22.12
Middle Fork Irr. Co.	No. 27	1.00
Wayne Taylor	No. 47	3.87
R. F. Holmes	No. 19	1.00

The Secretary of the Association was then requested to submit to the State Engineer their proposed budget for 1961. The following budget was presented:

1 - Commissioner's salary for 5½ months @ \$350	\$1,925.00
River System matching Social Security	57.75
2 - River Commissioner's travel expense	550.00
Plus additional \$20 per month for 3 months (June, July and August)	60.00
3 - Bonds and insurance premiums	30.00
4 - Miscellaneous expense	75.00
5 - Water Users Committee expense	500.00
6 - Commissioner's annual report	150.00
TOTAL	<u>\$3,347.75</u>

Following the report of the Budget a motion was made by Director Rhees and seconded by Director Fuller that the association recommend to the State Engineer the proposed budget as listed for the cost of operation of the association and for the distribution of the water of the Ogden River for 1961 be approved and that the assessment be made on the same formula as was used in 1960, namely the upper valley users assessed a regular rate and the lower valley users assessed two times the rate paid by the upper valley users. Power users will be assessed one-half the rate paid by the valley users and a \$1 minimum assessment be assessed against all users. The motion carried.

The Chairman then requested that the Association make recommendation to the State Engineer as to whom should be the river commissioner for 1961. The motion was made Director Randall and seconded by Director Rhees that the Association recommend to the state engineer that Floyd Barnett serve as commissioner of the Ogden River for 1961. Salary and expenses to be paid him as recommended in the budget. The motion carried.

At this point commissioner Floyd Barnett was requested to make a report of the years activities. Mr. Barnett stated this was his first opportunity to meet with the State Engineer and his group in an annual meeting and he had not prepared a complete report. He stated in the future he hoped he would be called in to these meetings and be given opportunity to make his annual report on the activities of the commissioner of the river. Mr. Jones thanked him for his statement and declared the business of the meeting completed and stated the meeting would stand adjourned until convened again by call from the Chairman.

Respectfully submitted,
E. J. FJELDSTED, Secretary