

## MILL CREEK DISTRIBUTION SYSTEM

A meeting was held on December 22, 1982 at 7:00 p.m. in the Courthouse in Moab, Utah to organize a distribution system on Mill Creek. Don Norseth, Director of Distribution for the Division of Water Rights opened the meeting. He indicated to those present that authority was given to the State Engineer to establish distribution systems where needed under Section 73-5-1, Utah Code Annotated, 1953 as amended. He briefly reviewed the main points of this section of the code.

The meeting was then turned over to Mark Page, Area Engineer from the Price area office. Mr. Page briefly gave the background which led to the decision to establish the Mill Creek Distribution System. He discussed the yearly problem of getting water to the appropriate water users within their respective priorities and the lack of records on the system. Various attempts have been made to work out some agreed delivery system, but to date, those have failed. Therefore, it was felt that a distribution system needed to be organized by the State Engineer or the District Court. During a meeting held on November 3, 1982, this matter was discussed with the water users present and it was decided that a system established by the State Engineer was preferable. Therefore, the meeting on December 22, was scheduled.

Following this brief background discussion, many questions were asked by those present concerning the duties of the Board of Directors and Commissioner, measuring devices on the system, the associated costs and the longevity of the State operated system. Mr. Norseth indicated that the Board of Directors

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would be the people that the State Engineer would deal with concerning the operation of the distribution system. Therefore, it is important that those on the Board represent all of the interests of the water users on Mill Creek. The duties of the Commissioner would include the keeping of complete and accurate records of all water diverted on the system. This information would be contained in an annual report submitted to the water users and the State Engineer, by the water commissioner. He would be appointed for one water year at a time. Any necessary changes could be made at the annual Mill Creek Distribution System meeting. He would be paid from assessments collected by the State Engineer from the water users. He would be considered a State employee and as such, he would work for the State Engineer and be bonded and covered by State insurance. The main duty of the commissioner is to see that the waters of Mill Creek are delivered to the appropriate water user at the right time and in the correct quantity. He would have no jurisdiction once the water is diverted from the channel of Mill Creek. It was noted that each diversion from Mill Creek would be required to have an adequate measuring device. Many of the diversions are acceptable in their present condition, however, others will need repairs and others will need to be replaced prior to the beginning of the irrigation season. The annual cost for the distribution system is determined by the water users present at the annual meeting. Of course, this may be influenced by the demands of the appointed commissioner. Therefore, the annual budget could change from year to year depending on many factors, such as travel expenses, miscellaneous expenses such as locks, chain, shovel, etc. Mr. Norseth pointed out that the longevity of the distribution system would depend on the continued need for it. However,

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he pointed out that many benefits are derived from such a system, therefore, even though the problems may be corrected, it may be desirable to continue with a commissioner. However, the system could be dissolved at any time if peace between the various water users is restored.

After the many questions were answered, Mr. Norseth called for the group to recommend persons to serve on the Board of Directors. Richard Nunn was selected to represent the Mesa water users, Curtis Young will represent the Grand County Water Conservancy District. Douglas Farnsworth will represent the Moab Irrigation Company, Janie Walker will be asked to represent the mid-stream users and Kay Young will represent the lower water users on Mill Creek. This group was directed to meet in the near future and select a chairman and secretary for the Board. They were also asked to screen applicants for the Water Commissioner position and make a recommendation to the State Engineer. The Water Commissioner is appointed by the State Engineer under the recommendation of the Board. The next item was the budget for the 1983 water year. It was decided that a weighted scale would be used to determine the assessments based on the water rights for the first season. All subsequent years assessments will be based on the previous year's delivery in acre feet. A motion to the acceptability of using a weighted scale for the 1983 assessment was made by Kay Young and seconded by Harold Nation. The motion passed with some abstaining from the vote. Therefore, the first right will be assessed as a factor 5, rights 2 through 5 will be assessed as a factor of 3, and rights 6 through 11 will be assessed as a factor of 2.

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Using such a system will assess those who have the senior rights. The operating budget for 1983 was set as follows:

Commissioner Salary	\$2800.00
Social Security	187.60
State Retirement (50%)	250.60
Travel Expenses @ 35¢/mile	525.00
Bond and Insurance	50.00
Commissioner's Annual Report	50.00
Miscellaneous Expenses	<u>136.80</u>
Total	\$4000.00

A motion was made by D.L. Taylor and seconded by Jimmy Walker that the budget be accepted and the water users be assessed the amount of the budget. A majority of those present voted in favor of the motion. Some abstained from the voting.

After the general meeting was adjourned at 8:20 p.m. the committee met with the Division of Water Rights personnel at the meeting. The committee was instructed to meet to select a chairman and secretary from among themselves and to screen the possible candidates for a commissioner and be prepared to make their recommendation to the State Engineer by January 15, 1983. It was decided by those committee members present that a screening meeting would be held by the committee and Mark Page, Area Engineer on January 13, 1983 at 7:00 p.m. at the Grand County Water Conservancy District Office to select a commissioner. Richard Nunn was asked to make sure the meeting was scheduled and the pertinent business taken care of. The meeting adjourned at 8:45 p.m.

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Those present at the meeting were:

<u>Name</u>	<u>Representing</u>
Mark Page	Water Rights - Price
Lamond Gardner	Water Rights - Price
Donald Norseth	Water Rights - SLC
Jerry Bronice1	Water Rights - SLC
George M. White	Special Water Service District
David J. Bretzke	GCWCD
Harold Nation	Self
J.T. Jolly	Self
LaMar Cardon	Self
Bruce D. Louthan	Self
Art Secrest	Moab Irrigation Company
James E. Walker	Self
Kay L. Young	South Mesa Ranch
Ev Shoemaker	GCWCD
Dick Nunn	Wilson-Mesa Irrigation Company
David C. Minor	Moab Irrigation Company
D.L. Taylor	GCWCD

JAN 06 1983  
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