

*Not Official
Minutes
DWM
Jan 11, 1983*

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WATER RIGHTS

MINUTES OF MEETING

DECEMBER 21, 1982

FORMATION OF WATER COMMITTEE

CONCERNING MILL CREEK DISTRIBUTION SYSTEM

A meeting was held on December 21, 1982 at 7:00 P.M. in the Grand County Court House in Moab, Utah. The meeting was called by the State of Utah Natural Resources and Energy, Division of Water Rights, concerning the appointment of a Water Commissioner to monitor flows in Mill Creek.

Present representing the Division of Water Rights were: Mr.'s Jerry Bronicel, Donald Norseth, Mark Page, and Lamond Gardner.

Present also were: Mr. & Mrs. E.L. Schumaker, George White, Kay Young, Jim Walker, Richard Nunn, David Minor, D.L. Taylor, Harold Nation, Arthur Secrest, Bruce Louthan, Lavar Cardon, and David J. Bretzke.

Mr. Norseth briefly explained the items they wished to cover at this meeting:

1. Formulate a committee representing each water interest entity.
2. The Water Committee to recommend applicants for water commissioner to work and be under the control of the State Engineer's Office, a person who would not be associated in any way with any specific water interest.
3. The State Engineer would appoint the water commissioner or the District Court could take over jurisdiction.
4. Notice of this meeting was sent out ten days ago. The present users of the second water right is a problem and State Engineers' records do not indicate who is presently using this right.
5. Five letters were received by the State Engineer representing the majority of Mill Creek Water Users recommending the appointment of a water commissioner. This commissioner won't solve every problem.
6. The Committee would establish a budget.
7. Section 73-5-1 of Utah State Code annotated, 1953 as amended is the law that sets up a water commissioner.

8. The Committee appoints a water commissioner annually.
9. The money charged for this service is held in a trust by the State.

The salary and expenses deemed necessary shall be borne pro-rata by the State Engineer, the first year to be based on second foot flow rights of each water user, and future years based on measured flow of each user. Bills are payable by May 1st of each year.

Users can appeal to the District Court if they do not agree with the State Engineer.

The water commissioner will do what the State Engineer says.

Measuring devices will have to be established.

ELECTION OF COMMITTEE MEMBERS

The group that was present elected by vote the following persons to represent the various interest on Mill Creek:

- Richard Nunn- to represent the Mesa Users
- Curt Young - to represent Grand County Water Conservancy District
- Doug Farnsworth- to represent Moab Irrigation Company
- Janie Walker- to represent the middle water users on Mill Creek
- Kay Young - to represent users West of Main Street

PROPOSED BUDGET

The following budget was agreed upon by those present:

Salary (March 1st to October 1st- 7 months @ \$400.00 per month)	\$ 2,800.00
Social Security (6.775%)	187.60
Utah State Retirement ($\frac{1}{2}$ by employee & $\frac{1}{2}$ by Committee)	250.60
Travel Expense (50 miles a trip X 28 trips = 1,500 miles X \$.35 miles)	1,500.00
Bonds & Insurance, through State Insurance Funds & Bonding Co.	50.00
Preparation of Annual Report (four copies required)	50.00
Miscellaneous	136.80
TOTAL ANNUAL BUDGET	\$ 4,000.00

The cost of the water commissioner shall be borne by the users as follows:

First Year charged by State Engineer based on "Paper Rights"

Second Year would be based on measured flow of each user

The Moab Irrigation Company would be assessed one charge, and the Moab Irrigation Company would pass it on based on shares owned by each user.

The costs would be based on a weighted factor or fraction of total cost as follows:

First Water Right (Full Unit)	5	factor
Second, Third, Forth, & Fifth Water Right	3/5	factor
Sixth through the rest of the Water Rights	2/5	factor

The committee will meet at 7:00 P.M. at the Grand County Water Conservancy District's Office on January 11th, 1983 to elect a chairman and secretary. This committee will also interview applicants for the water commissioner.

On January 13th, 1983 the committee will meet at the Grand County Water Conservancy District's Office at 7:00 P.M. with Mark Page who will interview the top two or three candidates.

Several names were suggested at the meeting for candidates. They are:

James Jolly
Verle Green
Lyle Jamison
Harold Jacobs

Minutes prepared by David J. Bretzke