



THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

WAYNE D. CRIDDLE
STATE ENGINEER

March 26, 1958

MINUTES OF THE POT CREEK WATER USERS MEETING

Held at the Vernal Courthouse on March 19, 1958 at 7:30 P.M.

A meeting was held with the Pot Creek water users of both Colorado and Utah for the purpose of: (1) Selecting a suitable and competent water commissioner, (2) Adopting a budget to cover distribution costs for the coming year, and (3) Determining the proper assessment to be made against each water user. Those attending the meeting were:

Water Users

John Siddoway
Ben T. Chase
William Allen
Bud Phelps
Lloyd Stevens
Zelph S. Calder
Leo Calder
Leaon Ainge
Raymond Siddoway
Robert Shiner
Hugh W. Colton

Clifton W. McCoy
Neldon Shiner
William H. Karren
M. Clark Feltsch
Ray E. Nash
Julian Massey
Floyd Massey
Ed Lewis
Ralph Siddoway
Whitney D. Hammond
Loran Hatch

Utah State Engineer's Office

Wayne D. Criddle
Donald C. Norseth
Hubert C. Lambert
Robert B. Porter
Jerry Tuttle
Harold Donaldson

Utah Water and Power Board

Jay R. Bingham

Wayne D. Criddle opened the meeting. He introduced the members of the Utah State Engineer's Office, Jay R. Bingham of the Utah Water and Power Board, and Ben T. Chase of the Colorado Irrigation District No. 6, who represented the State Engineer of Colorado at the meeting. He then explained the items of business to be taken up at the meeting and gave a brief summary of the conditions and problems facing the water users on Pot Creek. It was explained that this was an unusual problem involving distribution in the early part of the season during which time this remote area is not easily accessible. It was explained that Colorado was in full accord with this program and that they had agreed to assume their share of the financial burden. The irrigated acreage claimed was approximately 1260 acres of irrigated land in Utah and 160 acres in Colorado. It was then explained that the total cost to the Utah water user would be in the neighborhood of 20 cents per acre of irrigated land.

As there is no one living on Pot Creek who is available for the position of water commissioner, it is felt that this is the minimum budget that could be set.

Question: John Siddoway asked for clarification as to how the water measurements and the distribution was to be carried out.

Donald C. Norseth then explained this was primarily a matter of storage regulation of the reservoirs and the flow rights from the natural channel of Pot Creek. It would be necessary to measure all diversions, the water above the Matt Warner Reservoir, below the Matt Warner Reservoir, above the Crouse Reservoir, and below the Crouse Reservoir. It was felt that water to meet the Colorado rights could be measured at the point below the Crouse Reservoir and, by utilizing the gaging station established near the Colorado line, proper transmission charge could be established for future distribution.

Measuring devices were then discussed. The users were informed that ultimately each diversion would require a measuring device. The State Engineer's Office recommended that Parshall flumes be installed.

A discussion of possible candidates for the position of water commissioner was carried on. Ralph Siddoway asked the State Engineer for a brief description of the necessary qualifications. Mr. Criddle then outlined the qualifications as follows:

1. A knowledge of water problems and the ability and knowledge necessary for proper measurement of water.
2. The water commissioner should be a man with dignity and ability to make decisions on water problems.
3. The commissioner must be impartial.
4. Must be able to keep good records.
5. Must be of good health and physically able to cope with the rigors of distribution.

The cost of distribution was then further discussed. The users were informed that the cost put forth was an estimate for 1958 only. Future administration could actually be higher or lower.

The method of water division under the distribution system was discussed. It was decided that the water would be divided on a priority schedule that was to be submitted to the court within 30 days. John Siddoway then explained that in certain peak years there was more water than could be stored in the reservoir. He wished to know what would happen to any excess water. It was pointed out that seldom, if ever, would all the rights be fully satisfied.

Jim Briggs of Manila was proposed by the State Engineer as a possible candidate for commissioner.

The water users were requested to express their feelings on the matter for a commissioner. The following opinions were expressed and discussed:

Zelph Calder stated that everyone had gotten along satisfactorily and there was no need for a commissioner.

John Siddoway then stated that he felt it was necessary that the water be measured and distributed according to the rights in the proper priority.

William H. Karren then stated that there was a great need for a commissioner--that the lower users hadn't received any water in the past.

Bill Allen then stated that there was a need for a commissioner but before distribution was put into actual practice the water users would have to be informed of their water rights. Few had any idea as to where their rights were situated in the priority schedule.

Wayne D. Criddle advised the users that the schedule would be ready in the next few days and submitted to the court within thirty days, at which time the State Engineer would have the legal right to enter into active distribution of the waters of Pot Creek.

Discussion was held on the recognition of the stock rights and whether or not the stockmen could vote at the water users meeting. A basis for assessment was then discussed and the part the stockmen would play in the assessment. It was decided that the irrigators would be assessed on the basis of the irrigated acreage and that a minimum assessment of \$1.00 be set on all rights under 20 acre feet which include the stockwatering rights.

John B. Siddoway then made a motion that the State Engineer appoint a commissioner and assess on an irrigated acreage basis. The motion was seconded by Ralph Siddoway. It was decided not to vote on this motion and it was set aside.

Ralph Siddoway then made a motion that the minimum assessment for all stockwatering rights be \$1.00 and that they have the right to vote. The motion was seconded by Robert Shiner. The motion carried 11 for and 3 against--two in attendance and a proxy vote held by Zelf Calder for Leon Green.

A motion was then made by William H. Karren that a commissioner be appointed to administer Pot Creek, seconded by Bill Allen. The motion carried 11 for and 3 against.

It was explained to the users that due to the acceptance of a minimum assessment for stock rights and the inclusion of these rights under the distribution system, that it would be advisable to raise the total budget to \$275. A motion was then made by John Siddoway that a total budget of \$275 be assessed, irrigated lands to be charged on an acreage basis and a minimum assessment to all stock rights of \$1.00. This was seconded by Bill Allen. The motion carried 7 for and 3 against.

Zelf Calder then stated that he wished an objection to be placed in the minutes to the appointment of a commissioner and to the inclusion of the stock rights as having a bonafide right to vote.

A discussion was again held on possible candidates for water commissioner and the following two men were proposed: David Rasmussen and J. Gill Murray. It was decided that no definite action would be taken at this meeting to appoint a commissioner but time allowed for contacting possible candidates and the making of recommendations to April 5, 1958. If at that time the users had not taken any definite action, the State Engineer would consider Mr. James Briggs, Mr. J. Gill Murray and Mr. David Rasmussen and upon analyzing the qualifications of the three men, appoint a commissioner. It was also decided that if any other candidates were proposed, that these also be considered on the basis of their qualifications.

Questions as to the position of the Federal judgment against the Matt Warner reservoir were raised. Mr. Robert B. Porter answered that we would not at this time consider this question as we had no legal right to do so.

As there was no further business to be discussed, the meeting was adjourned.