



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Norman H. Bangerter
Governor
Dee C. Hansen
Executive Director
Robert L. Morgan
State Engineer

1636 West North Temple, Suite 220
Salt Lake City, Utah 84116-3156
801-538-7240

February 11, 1991

Mr. Jeris A. Danielson, State Engineer
Colorado Division of Water Resources
1313 Sherman Street, Room 818
Denver, CO 80203

Dear Jeris:

On February 7, the annual distribution meeting for the water users on Pot Creek was held in Vernal, Utah. In attendance were Ed Blank, representing the State of Colorado, Lee Sim and Bob Leake representing the State of Utah, Chad Crosby, the 1990 River Commissioner and water users from both Colorado and Utah.

Distribution practices on Pot Creek were discussed at length and it was finally resolved, mostly at the request of the Colorado users, that the commissioner should make more trips to measure and regulate the water especially during March and April. The guidelines of the 1958 agreement were followed in selecting a river commissioner. However, Colorado users did not accept the commissioner proposed by the Utah users and the Utah users did not accept the commissioner proposed by the Colorado users. Therefore, the water users from both states requested the two state engineers should agree upon and select a commissioner. The water users could not agree upon a budget and requested the state engineers prepare one which would be commensurate with the work expected of the commissioner.

After the distribution meeting Mr. Sim, Mr. Blank and Mr. Leake met to discuss the situation. It was determined that an advertisement would be placed in the local paper and that interviews would be held with any applicants. They also developed the following proposed budget:

Salary	\$1500.00
Social Security	115.00
Travel Expenses	575.00
Bond Expenses	100.00
Workmens Compensation & Disability Insurance	63.00
Annual Report	200.00
Miscellaneous Expense	<u>197.00</u>
Total	\$2750.00

This budget is a considerable increase over last years budget for several reasons. It was felt the salary would have to be set higher than Chad's because Chad performed some of his river commissioner duties in conjunction with his wildlife resources responsibilities in the area. Also, this year we are converting all river commissioners to the State of Utah payroll system which

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requires payment of social security and workmens compensation and disability insurance premiums.

Our files indicate that Colorado's share of the distribution system assessment has been 20% limited to \$70.00. It appears that this agreement must have been made quite some time ago. Given the costs now required in distributing the water on Pot Creek and the Colorado users requests for increased commissioner activity we would like to propose the \$70.00 limitation be removed so Colorado would pay a full 20% of the distribution system costs. This would amount to a 1991 assessment to Colorado of \$550.00.

The day after the meeting, Mr. Mike McCarrell talked with Bob Leake, our engineer for the Vernal Area, and indicated his willingness to serve as the river commissioner on Pot Creek. Mr. McCarrell is a Utah water user who owns water rights for stockwatering. We feel there are several advantages in selecting Mr. McCarrell as the commissioner. He has an interest in the area but is one of the smaller water right owners. He is familiar with the area and would be able to familiarize himself more easily with the other water rights on the system. We have discussed this possibility with Mr. Blank and would like to suggest that Mr. McCarrell be appointed without going through the advertising and selection process. We have not discussed the salary with Mr. McCarrell but it will probably be adequate as his interest seems to be more for the smooth operation of the system than the salary he would earn.

Please let me know if these arrangements will be acceptable to you. I would appreciate your response as soon as possible so that we can be prepared for the beginning of the distribution season.

Sincerely,



Robert L. Morgan, P. E.
State Engineer

RLM:LHS:bd

cc: Edward W. Blank, Division Engineer, Colorado
Bob Leake, Area Engineer
Lee H. Sim, Directing Engineer for Distribution ✓