

PROVO RIVER DISTRIBUTION SYSTEM  
MINUTES OF SPECIAL MEETING HELD  
January 12, 1989

Pursuant to the Notice from the office of the State Engineer, and to call by the Chairman, the Board of Directors of the Provo River Distribution System convened at 10:00 A.M. in Court Room 2301 of the new Utah County Courthouse.

Chairman J. Edwin Ure presided.

On roll call, the following were present:

J. Edwin Ure, Chairman	Group 1 Kamas Valley Canals
Sherman A. Giles	Group 2 Upper Provo, East Heber Valley
Harvey Van Wagoner, Vice-Chair.	Group 3 Upper Provo, West Heber Valley
Carl H. Carpenter	Group 4 Provo City Canals
Stanley H. Roberts	Group 5 East Provo Canals
Kenneth R. Gillman	Group 6 Provo Bench Canals
Mack A. Anderson	Group 7 Provo Reservoir Water Users Company
Jack M. Gardner, Secty.-Treas.	Group 8 Provo River Water Users Association
Ferrell Knight	Group 9 Upper Provo Individual Rights

Present for State Engineer's Office were:

Edward D. Feldt	District Eng. Division. of Water Rights
Lee H. Sim	Distribution Eng.-Div. of Water Rights
John L. Larson	Adjudication Eng.-Div. of Water Rights

Also present were:

Ernie F. Giles	East Heber Valley
Rick Cox	Provo River Water Users Association
Stanley H. Roberts, Jr.	Provo River Commissioner
Richard S. Hixon	Utah Power & Light Company (Pacific Corp.)
Daryl Devey	Central Utah Water Conser- vancy District
Bruce Chestnut	City of Orem Water
Samuel P. Snow	Upper East Union Canal

Mr. Sim opened the meeting and inquired if there were any changes in officers or directors, and was advised that the officers and directors remained the same. He then introduced Edward D. Feldt, and advised that Mr. Feldt is District Engineer for the Provo River and Utah Lake District. He then introduced John Larson, Adjudication Engineer and Lee H. Sim, Distribution Engineer.

Mr. Sim presented the agenda of the meeting and then turned the meeting over the Chairman Ure.

CORRECTION, ADOPTION OF MINUTES OF SPECIAL MEETING, JANUARY 14, 1988

It was noted that the minutes had been published and the reading of the minutes had been waived.

Thereupon there being no corrections, Director Carpenter moved that the minutes be adopted, seconded by Director Giles and carried unanimously.

FINANCIAL REPORT OF 1988 AND DELINQUENT ACCOUNTS;

Mr. Sim then presented the 1988 Financial Report and delinquent accounts as prepared by the State Engineer. The financial Report is attached hereto and made a part of these minutes.

Director Giles moved that the Financial Statement be accepted. The motion was seconded by Director Van Wagoner and carried unanimously.

Mr. Sim noted that the delinquent water assessments amounted to a total due of \$704.58. Of this amount \$343.67 was from 7 accounts out of 17 delinquent accounts that were over 2 years old. Last year there were 50 delinquent accounts. The reduction was due to removing abandoned water rights and collections of some of the older accounts because of the late penalty. Legislation is being enacted to be able to place a lien on water rights and dispose of a water right through a sheriff sale. Also that the attorneys fees to litigate be paid by the owner of a delinquent account. The best option however is to close the gate. It was noted that in the January 12, 1988 annual board meeting, that by resolution duly made, seconded and carried that a late penalty of \$5.00 or 10% which ever is the greater is to be added to a delinquent account annually and that a 1% interest charge to be added each month or part thereof that the payment is late.

After due discussion, Director Knight moved that the \$5.00 late fee be increased to \$10.00, Director Van Wagoner seconded the motion and it carried unanimously.

COMMISSIONER & DEPUTY COMMISSIONER'S REPORT

Commissioner Roberts presented the 1988 annual report noting that it was not yet complete. The 1985, 1986 and 1988 annual reports would be published by the first of March.

Whereupon Commissioner Roberts called on Deputy Commissioner Giles for his report of distribution of the Wasatch Division during the past irrigation season.

Deputy Commissioner Giles noted that the 1987-88 water year was below normal (65-70%) in moisture content. In the Heber Valley in the spring and summer months there was 9" of moisture, the normal is 14".

Due to the below average snow pack and early spring, the runoff on the Provo River was earlier in the season than normal and the river never reached the peak flows that we have been accustomed to. The Provo River peaked on May 17 with a total flow of 2132 c.f.s. at the Midway upper bridge and the Provo River natural flow at 1389 c.f.s. In 1986 the natural flow peaked at 3000 c.f.s.

Timpanogos Irrigation and Extension Irrigations Co.'s stopped diverting water June 30, Washington and South Kamas were out of water August 5. Head of River Storage was about 50%. the upper Provo River was at a 100% delivery to June 21, 95% from June 21 to July, 50% in July and a 40% delivery August through September. The Provo River flow is 12 c.f.s. at Soapstone and the Duchesne Tunnel is 6 c.f.s. in Heber Valley only a few farms produced a second crop of hay and the grain yield per acre was way down.

BUDGET AND ASSESSMENT, 1989

Chairman Ure advised Mr. Sim that a budget and assessment had been prepared by the Provo River Distribution System at the annual meeting on Tuesday the 11th of January and asked Secretary Gardner to present this budget. The prepared budget and assessment was distributed and Secretary Gardner noted the changes made and that \$52,600.00 had been budgeted and that the Distribution System assessment was \$51,000.00.

Secretary Gardner noted that there was a special assessment of \$6000.00 that was paid by CUWCD to be paid the Provo River Commissioner for extra works' expense caused by the implementation of the Deer Creek Strawberry Exchange. The State Engineer has come up with a new format that the Distribution System had been using and that the \$6000.00 CUWCD special assessment was added to items of the budget such as commissioners salary, mileage etc. Commissioner Roberts had finalized the 1989 budget items on the State

Engineers format and presented the finalized budget and assessment to the State Engineer and the Board. The total 1989 budget is \$58,600.00 and the total assessment \$57,000.00 with the \$1600.00 difference to come from the trust fund.

Director Carpenter moved that the budget and assessment be approved. Director Knight seconded the motion and it carried unanimously.

Both budgets and assessments are attached hereto and made a part of these minutes.

STATE ENGINEER ADVISED OF RECOMMENDATION OF COMMISSIONER AND DEPUTY COMMISSIONER

Chairman Ure advised Mr. Sim that at the annual meeting held on the 11th day of January that Stanley H. Roberts, Jr. had been chosen as the recommended Provo River Commissioner and Sherman A. Giles as Deputy Commissioner for the ensuing year.

Mr. Sim stated he would take the recommendations under advisement and present the same to the State Engineer and expressed his appreciation for the cooperation of the Commissioners.

ADJOURNMENT

There being no further business Director Giles moved the meeting adjourn. Director Gillman seconded the motion and it carried unanimously. The meeting adjourned at 2:15 P.M.

Date Approved: \_\_\_\_\_

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Jack M. Gardner  
Secretary

PROVO RIVER DISTRIBUTION SYSTEM

1989 Budget

<u>Budget</u> <u>Item:</u>	<u>Amount</u> <u>Approved</u>
1. Commissioner's Salary	\$ 16,500.00
2. Deputy Commissioner's Salary	14,900.00
2-A Comm. & Dep. Comm. Matching	
Soc. Sec. Tax (.0751)	2,358.14
2-B Comm. St. Retirement (13.11)	2,163.15
2-C Dep. Comm. St. Retirement	
(Non-contributory (13.18))	1,963.82
2-D Deputy Comm. Trainee (contractual)	800.00
3. Office Rent	300.00
4. Travel Expense	3,300.00
4-A Commissioner's Travel Expense .31/mile	
4-B Dep. Comm.'s Travel Expense .38/mile	
5. Field Equipment and Supplies	100.00
6. Office Equipment and Supplies	250.00
7. Commissioner's Annual Report - 1988	650.00
8. Commissioner's Telephone Expense	300.00
9. Committee Expense	1,200.00
10. Bonds and Insurance Premiums	200.00
11. Install & Maintain Weirs & Recorders	500.00
12. Utah Water Users Association	900.00
13. Miscellaneous Expenses	14.89
14. Health Insurance - Comm. & Dep. Comm.	6,200.00
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TOTAL 1989 BUDGET	\$ 52,600.00
DISTRIBUTION BOARD TOTAL 1989 ASSESSMENT	51,000.00
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From Trust Fund	\$1,600.00
CENTRAL UTAH WATER CONSERVANCY DISTRICT 1988 ASSESSMENT	6,000.00
(For Commissioner's extra work compensa- tion, Salary, Soc. Sec. Tax, St. Retire- ment, mileage expenses)	