

PROVO RIVER DISTRIBUTION SYSTEM

MINUTES OF MEETING HELD

January 10 1968

Pursuant to Articles of Association as amended by the Provo River Distribution System, and due notice having been given to all members, the Board of Directors of the Provo River Distribution System convened at 10:00 A. M. on January 10, 1968, in Room 200 of the Utah County Court House, Provo, Utah.

Chairman Niels Andersen presided.

On roll call, the following Board Members were present:

J. Edwin Ure	Group 1	Kamas Valley canals
Sherman A. Giles	"	2 Upper Provo, East Heber Valley
Floyd Bonner (Vice Chairman)	"	3 Upper Provo, West Heber Valley
Glen A. Wright	"	4 Provo City canals
Stanley H. Roberts	"	5 East Provo canals
Niels Andersen (Chairman)	"	6 Provo Bench canals
John W. Gillman	"	7 Provo Reservoir Water Users Co.
Jack M. Gardner (Sec.-Treas.)	"	8 Provo River Water Users Assn.
Ernest Knight	"	9 Upper Provo individual rights

Also present were:

Wallace R. Wayman	Provo River Commissioner
Hugh McKellar	Provo River Commissioner Trainee
Roy H. Gappmayer	Orem City
V. Emil Hanson	Metropolitan Water District of Orem
Elmer J. Taylor	Utah Power and Light Co.
Clyde Ritchie	Central Utah Conservancy District
Carl H. Carpenter	" " " "
Lynn S. Ludlow	" " " "
B. Harold Mendenhall	Provo River Water Users Assn.

CORRECTION AND ADOPTION OF MINUTES

At the request of the Chairman, Secretary Gardner read the Minutes of the Special Meeting of Directors held September 27, 1967, and, there being no corrections offered, Director Giles moved that the Minutes be adopted as read. Motion was seconded by Director Wright and carried by all present voting, "aye"

ELECTION OF OFFICERS FOR 1968

Chairman Andersen advised that the next order of business was to nominate and elect officers to serve during 1968, whereupon Director Wright moved adoption of the following Resolution:

(79) RESOLVED That Niels Andersen, Floyd Bonner and Jack Gardner be elected Chairman, Vice-Chairman, and Secretary-Treasurer respectively, all to serve the following one-year term of office. Motion was seconded by Director Roberts and adopted with all present voting, "aye".

The officers aforesaid thereupon assumed their duties.

## APPOINTMENT OF DIRECTOR BY THE PROVO RESERVOIR WATER USERS COMPANY

Chairman Andersen asked that the Minutes show that John W. Gillman was appointed to the Board of Directors by the Provo Reservoir Water Users Company to replace Elmer A. Seal who had retired during the past year.

## 1967 FINANCIAL STATEMENT

Chairman Andersen requested Commissioner Wayman to present the last year's Financial Statement. Commissioner Wayman reviewed the statement noting that the total year's expenditures amounted to \$14,462.41 as against a budget of \$15,616.00. The assessment had been \$13,749.20, the difference being made up from the Reserve Fund on deposit with the State Engineer. The balance in the Reserve Fund, as of December 31, 1967, is now \$5,798.74, and that the expenditures were about \$1,200.00 less than the budget. It was further noted that the delinquent water assessments amounted to \$201.20.

There followed a discussion of the delinquent accounts wherein proper addresses and changes of ownership were noted by Directors Knight and Roberts, whereupon Director Bonner moved that the statement be accepted by the Board. Director Roberts seconded the motion. The motion was adopted with all present voting, "aye".

## COMMISSIONER'S ANNUAL REPORT

Chairman Andersen then asked Commissioner Wayman if he would present his Annual Report. Commissioner Wayman stated that his Report was nearly complete and ready for distribution. He read portions of the Foreword of his summarizing of its findings. A discussion of the part of his summary pertaining to Class A secondary water use by Provo City, and others, followed.

In the ensuing discussion, it was brought out that since the State Engineer had approved the diversion of winter water to 50 percent of the flow diverted during the irrigation season of Provo City's purchased Class A right to 2.52 c.f.s., that a compromise to this amount for all Class A rights was in order and that the provisions of return flow to Provo River and Utah Lake should not be restricted in accordance with the Provo River Decree that, the water under the Class A right during the winter could be treated.

Harold Mendenhall stated to the Board that the Central Utah Project did not intend to take water from those that are entitled to it under the terms of the Provo River Decree, that Federal Projects, such as Deer Creek and Central Utah Project, only provide facilities to store and distribute the water and only sell water to pay for these facilities; that the Association was concerned about winter water use inasmuch as very little use has been made of winter water and this water accrued to Utah Lake. Winter use, even at fifty percent, would reduce the amount of water in Utah Lake and make less surplus water on the Provo to satisfy Deer Creek Project water supply and of which Provo City has an interest in.

Central Utah Project Manager, Mr. Ludlow, stated generally to the Board that Central Utah Project and others had appealed the State Engineer's decision of the 50 percent winter flow right, that Central Utah Project will recognize the rights that are actually in existence under the terms of the Provo River Decree, but without the winter water, even based on the 50 percent factor, would reduce the amount of water that could be stored in Jordanelle some 50,000 to 60,000 acre feet annually which would economically eliminate the Project; that storage in addition to treatment is needed by the Class A rights to utilize water that would be available even if 50 percent winter diversions were allowed. Central Utah Project actually is to build the storage facilities to make this water useable.

President of the Central Utah Project, Mr. Ritchie, stated to the Board that Central Utah Project would be glad to meet with the Provo River Distribution System Board and discuss this matter further.

#### COMMISSIONER WAYMAN TO RETIRE APRIL 1, 1968.

Commissioner Wayman concluded his report by reading the last paragraph of his Foreword, as follows:

"April 1st., 1968, terminates my official ties with Provo River distribution. The work has been challenging, invigorating and interesting over the past eight years. Many new friends have been acquired through this service. My life has been made more abundant as a result of this opportunity to serve. Many new or added data determined by my research and study of Provo River distribution is tabulated and listed in the eighteen appendix or exhibits shown in Paragraph No. 2 of this Foreword."

#### RESOLUTION OF APPRECIATION FOR SERVICES

Whereupon, Chairman Andersen stated that a motion would be in order showing the Board's appreciation to Commissioner Wayman for his eight year's of dedicated services, and, after discussion, formal action was deferred until the meeting with the State Engineer so that the appreciation of the State Engineer's Office could be included.

#### NOMINATION FOR RECOMMENDATION OF COMMISSIONER

Chairman Andersen then asked for nominations for Commissioner of the Provo River to recommend for appointment by the State Engineer for one year beginning in April of 1968. Director Ure thereupon moved adoption of the following resolution:

(80) RESOLVED, That Hugh A. McKellar shall be and is hereby nominated for appointment by the State Engineer as the Provo River Commissioner to serve for the yearly term beginning in April, 1968. The motion was seconded by Director Roberts and adopted unanimously.

#### NOMINATIONS FOR DEPUTY COMMISSIONER

Pursuant to policy, Mr. McKellar was then asked his preference for appointment of Deputy Commissioner and Mr. McKellar recommended Sherman A. Giles; whereupon Director Knight moved adoption of the following resolution:

(81) RESOLVED, That Sherman A. Giles shall be and is hereby nominated for appointment by the State Engineer as the Provo River Deputy Commissioner to serve for the yearly term beginning April 1, 1968. Motion was seconded by Director Roberts and adopted unanimously.

## BUDGET AND ASSESSMENT, 1968.

The establishing of the 1968 assessment and budget was discussed. Mr. Mendenhall suggested that the Deputy Commissioner's mileage rate should be raised from 10¢ to 12¢ inasmuch as most of his driving was off the highway. Commissioner Trainee, Hugh McKellar concurred in granting this increase to the Deputy Commissioner and suggested the Budget, Item 4, be increased to \$2,000. Deputy Commissioner Giles then asked that his salary be increased as it had remained the same for the past two years. Mr. Mendenhall discussed the problem of the cost-of-living index yearly increase and that it is necessary to give salary increases to employees to the extent of the increase to stay even. After the discussion, it was agreed that the Deputy Commissioner's salary (Item 2 of the Budget) should be increased by about 6 percent or to \$4,800 per year. It was noted that the new Commissioner's salary had been placed at \$475 per month or \$5,700 per year in the meeting of June 6, 1967 (Item 13 of the Budget). Director Bonner noted that the \$700 Contractual Services Item 12 was not used. In the following discussion it was noted that this item was to have been used for repair of the Midway bridge measuring device and for Commissioner Trainee's compensation. The Midway bridge weir had not been repaired due to high water, and the Commissioner Trainee had made no billing for any time. Director Giles suggested that the Item should likely be increased by another \$500 for the Commissioner Trainee's compensation to be used until his appointment in April and also for more money to be used for the Midway bridge weir repair, if necessary. The suggestions were generally accepted by the Board. Secretary Gardner noted that the items of matching Social Security and Retirement would have to be worked out before a financial budget could be set. Whereupon Chairman Andersen suggested that the action be deferred until the Board's meeting with the State Engineer on June 11, 1968, at which time the recommended budget could be itemized.

## MIDWAY BRIDGE WEIR REPAIR

Mr. Mendenhall explained that the Association had not been able to get at the repair last season due to the unusually high River flow and more urgent maintenance problems, and that the weir was only needed at the time when the Duchesne Tunnel and the Weber-Provo Diversion Canal were bringing water to the Provo River after high water; that Deputy Commissioner Giles had been estimating the flow through the weir. The accuracy of the estimated flow was questioned and Director Giles advised that he had been as high as 50 percent "out" compared with the U.S.G.S records, but usually he was quite close.

The cause of the failure of the weir was discussed and it was brought out that it was due to the deterioration of the concrete and water flowing under the structure. The structure needs a new concrete floor and a steel plate replaced. August would likely be a good time to repair the weir providing there is low water in the River.

## MIDWAY IRRIGATION COMPANY'S DIVERSION PROBLEM

Director Bonner stated that the Midway Irrigation Company has difficulty in diverting water into its canal because of the gravel and rock movement in the Provo River Channel and in the canal during high water. Director Giles stated that he checks the diversion each day and finds that they are out of water some days due to this; that the Company cleans its own canal with its own equipment and check boards in the diversion heading at high water would help the situation.

It was further noted that the cause of the movement of the gravel was due to the construction by the State Road Highway.

MEETING WITH STATE ENGINEER SET

Chairman Andersen called attention to the following letter dated December 28, 1967:

"TO WATER USERS OF THE PROVO RIVER DISTRIBUTION SYSTEM:

Notice is hereby given that in compliance with Title 73, Chapter 5, Utah Code Annotated 1953, a meeting of water users of the Provo River Distribution System and representatives of the State Engineer's Office will be held Thursday, January 11, 1968, at 10:00 A M in the Utah County Courthouse, Provo, Utah, for the purpose of:

1. Hearing the financial report for 1967.
2. Hearing the 1967 Commissioner's report.
3. Preparing a budget of salaries and other necessary expenses of the Provo River Distribution System
4. Making recommendations to the State Engineer relative to the appointment of a water commissioner for the 1968 season
5. Transacting such other business as may properly come before the meeting.

We hope that the water users or representatives will attend in order that they be properly represented.

Yours very truly,

SS HUBERT C. LAMBERT,  
State Engineer."

Chairman Andersen requested all members of the Board to attend this meeting in view of the importance of the System's operations.

ADJOURNMENT

There being no further business, Director Giles moved adjournment of the meeting. Motion was seconded by Mr. Ure and the meeting adjourned at 12 noon.

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Secretary.