

PROVO RIVER DISTRIBUTION SYSTEM
MINUTES OF SPECIAL MEETING HELD

January 11, 1968

Draft only
FD 1-29-68

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 A. M. in Room 200 of the Utah County Court House, Provo, Utah.

Chairman Niels Andersen presided.

On roll call, the following 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
Jack M. Gardner	" 8	Provo River Water Users Assn.
Ernest Knight	" 9	Upper Provo individual rights

Absent:

John W. Gillman " 7 Provo Reservoir Water Users Co.

Present from the State Engineer's office:

Hubert C. Lambert, State Engineer
Donald C. Norseth, Distribution Engineer
Frank Reese, Business Manager
Bryce Montgomery, District Engineer

Also present were:

B. Harold Mendenhall, Superintendent Provo River Water Users Assn.
Wallace R. Weyman, Provo River Commissioner
Elmer J. Taylor, Utah Power and Light Company
Donald J. Watkins, Utah Power and Light Company
Hugh A. McKellar, Provo River Commissioner-Appointee

Mr. Norseth opened the meeting, introducing the members of the State Engineer's Office: State Engineer, Hubert C. Lambert; Mr. Reese and Mr. Montgomery, and outlined the agenda of the meeting: to review the Financial Report for 1967 and hear the 1967 Commissioner's Report, to establish a budget for the year 1968, and receive the recommendations for the appointment of the Commissioner and Deputy Commissioner for the year beginning in April of 1968.

Mr. Norseth inquired if the Minutes of the last year's meeting had been approved. Secretary Gardner advised that these Minutes were approved by the River System Board at a special meeting on June 6, 1967, but could be read at this time. Mr. Norseth said that this would not be necessary.

PERMISSION TO EXCEED BUDGET ITEMS BY \$100.00

Mr. Reese then discussed the problem that he is confronted with when an expenditure exceeds the budgeted item. He must get permission from the River System Board to make this expenditure. In many of the River Systems, he has been granted permission to exceed a budget item by \$100.00. After the discussion, Director Giles moved adoption of the following Resolution:

(8/4) RESOLVED That the State Engineer's Office may make an expenditure in excess of any budget item to the extent of \$100.00 without further permission from the River System Board. The motion was seconded by Director Wright and adopted unanimously.

COMMISSIONER'S REPORT

Commissioner Wayman stated that his annual report was nearly completed and ready for distribution and summarized from the foreword of his report.

Commissioner Wayman discussed the matter of the dispute of Class A winter water rights and elaborated generally on the discussion of the Board's meeting on the day before of this matter and of the willingness of the Central Utah Project to meet with the Board.

APPRECIATION OF THE COMMISSIONER'S SERVICE BY THE STATE ENGINEER'S OFFICE

Mr. Norseth then complimented Commissioner Wayman for his eight years of excellent service as Commissioner of the Provo River and on his help in solving many of the problems that faced the State Engineer's office in distribution. He has, in many instances, made the record complete and prepared his reports with many improvements.

RESOLUTION OF APPRECIATION FOR SERVICES

Whereupon Chairman Andersen advised that the day before the Board had pending a Resolution of Appreciation for the services of Commissioner Wayman and that the State Engineer should be included in this Resolution; whereupon Director Knight moved the motion should include the State Engineer's office. Motion was seconded by Director Roberts and carried unanimously.

STATE ENGINEER ADVISED OF RECOMMENDATIONS FOR COMMISSIONER & DEPUTY COMMISSIONER

Chairman Andersen stated that at the annual meeting held the day before, and by proper resolution, Hugh McKellar was recommended for Provo River Water Commissioner and that Sherman Giles was recommended for Deputy Commissioner; whereupon, Mr. Norseth advised that he accepted the nominations and felt confident that the State Engineer would make the appointments as recommended.

NOTIFICATION OF BOARD MEMBERS AND OFFICERS

Chairman Andersen then advised the State Engineer that the Board of Directors of the Provo River Distribution System and the officers were the same as for the previous year.

TRANSFER OF EQUIPMENT AND FILES TO NEW COMMISSIONER

After some discussion of the transfer of files and equipment to the new Commissioner, Director Giles moved that all the equipment and files be transferred to the new Commissioner, Hugh McKellar, at the time that Mr. McKellar became Commissioner. Director Wright seconded the motion which was adopted unanimously.

DISCUSSION OF PROVO CITY WATER RIGHT 2.52 C.F.S.

Chairman Andersen brought up the decision of the State Engineer pertaining to Provo City's winter diversion of its Class A 2.52 c.f.s. water right. Mr. Norseth advised that the State Engineer had the burden of ordering the Water Commissioner to deliver the water under the decision which was subject to appeal and which had been appealed.

DISCUSSION BY MR. MONTGOMERY, AREA ENGINEER

Mr. Montgomery stated that the State Engineer's Office has broken Utah County down into areas. One division is south of Ironton. There has been no approval of water applications in this area since 1963 except for drains, and then the only water that can be appropriated is the water for the area that actually required drainage due to the free water or near-free water surface condition. All wells in this area are being inventoried on aerial photos and the State Engineer is to begin to regulate flowing wells that are depleting the underground basin.

The State Engineer has encouraged development of approved applications through acquisition and proper Change Applications. In the area north of Ironton, application for underground water for .015 c.f.s. for domestic use, and for irrigation of one-fourth of an acre, are accepted and processed by the State Engineer.

The State Engineer has mapped and filed water users' claims on the rights in South Fork and is proceeding with the adjudication of this area. Jordan Valley is being prepared for adjudication and Utah Lake Valley will follow. There is present litigation on four Change Applications of Provo City's but there will be no action on these applications until the 2.52 c.f.s. Provo City right is settled.

DISCUSSION BY MR. NORSETH

The State Engineer has found many leaking wells in Utah County. Underground water needs regulation the same as surface water. The State Engineer is to begin this summer to require valves and measuring devices on these wells. The State Engineer is aware of the problems that arise in freezing and sanding-up of flowing wells when valved, but nevertheless he is required to properly regulate the underground basins.

Chairman Andersen inquired if they could only file .015 applications in the north end of Utah County, and questioned what could be filed in Provo Canyon. State Engineer, Hubert C. Lambert, stated that in Provo Canyon new appropriations, even for .015 c.f.s., are not approved. Water for domestic use can be acquired through an exchange application. That is, if someone has appropriated water, or purchases an existing right of some nature, and puts this water in the River, then he may drill a well to divert this same amount of water from the underground. The State Engineer is aware of the problems that arise in the north part of Utah County, there is

lowering of the water table and this eventually will have to be controlled by priority. The State Engineer is presently making a resource study in Heber Valley and the outcome of this study may change the policy towards underground diversion in this area. It is hoped that the Utah County local interference can be stabilized by 1970. Cities should not request privileges in water matters since they have the right of condemnation and planning as an advantage. The State Engineer has to make a decision as to whether cities are privileged and do prefer to settle the problems through compromises rather than court action. The State Engineer is always available as a mediator and is concerned in accomplishing two things: to protect all rights and to check new developments.

The State Engineer commended Commissioner Wayman on his excellent job as Water Commissioner.

ADJOURNMENT

Chairman Andersen expressed the appreciation of the Distribution System to Mr. Wayman on his excellent job as Water Commissioner and his cooperative attitude and expressed the Board's appreciation to the State Engineer for the cooperation it had received from the State Engineer's Office.

Director Giles thereupon moved adjournment and Director Wright seconded the motion. Meeting adjourned at 12:05.

Secretary.