

MINUTES OF 2006 ANNUAL MEETING

Minutes of the Annual Meeting of the Sevier River Water Users Association held at the Sevier County Courthouse, Richfield, Utah, Thursday, February 2, 2006 at 1:00 p.m.

Due, legal and timely notice having been given as required by law and the Order of the Board.

There were present the following Officers and Directors:

PRESENT:

Kurt Sorenson, President-Sanpete County
Blaine Ipson, Vice President-Millard County
Afton Blood, Director-Piute County
Ivan Cowley, Director-Sevier County
Clyde Bunker, Director-Millard County
Russell Christensen, Director-Sevier County
Delin Roundy -Garfield County
Dean S. Anderson, Secretary

ABSENT:

None

ALSO PRESENT:

Ray Owens, Sevier River Commissioner
Jim Walker, Sevier River Commissioner
Lee Sim, Division of Water Rights
Terry Monroe, Division of Water Rights
Deon Gardner, Division of Water Rights
Jim Wells, Division of Water Rights

The meeting was called to order by Kurt Sorenson who presided at the meeting. An opening prayer was given by Grover Childs.

The Secretary then read the minutes of the annual meeting of the Sevier River Water Users Association held on February 3, 2005. Upon a motion by Jarvis Sorensen and second by Grover Childs, the minutes were approved as read.

President Sorenson turned the floor over to Lee Sim from the Division of Water Rights who gave a report of the 2005 expenditures and receipts. Each person present was furnished with a copy.

Beginning Balance	\$76,546.46
Assessments	\$181,947.47
Penalty	439.03
Penalty	1,152.17
Interest	2,824.01
Total	\$186,362.68
Budgeted Expenses	169,840.77
Special Expenses	28,161.64

Total \$198,002.41

Ending Balance \$64,906.73

Lee reviewed each budget item. The total budget for 2005 was \$210,754.00 and the total amount of money expended was \$198,002.41

There were 16 delinquent accounts for a total of \$9,914.81 in delinquent assessments. Wayne Ballard moved to accept the 2005 financial report. Upon a second from Ivan Cowley, the financial report was approved.

Mr. Sim reviewed each budget item in the proposed 2006 budget, each person being given a copy. The budget had been set by the board in the amount of \$225,511 with an assessment amount set at \$195,000. The commissioners will be reimbursed for miles drive at the federal rate with a cap as recorded in the 2006 budget. Upon a motion from Jerry Skeem and a second by Jarvis Sorenson, the 2006 budget and assessment was approved.

Time was given to the Commissioners to give their report. Jim Walker noted that all of the reservoirs will be full except Fool Creek Reservoir and Gunnison Bend Reservoir. There is 109,462 acre feet of new storage make which gives Sevier Bridge Reservoir its first and third storage priority make. He noted that USU had a hacker last year that affected the data. It has been fixed and now will be located on the server at Richfield. We are looking at automating West View and A-Canal plus finishing a few of the other smaller projects that are in the works.

Ray noted that you can look at the raw data by looking under diagnostics on the web sight right now. Ray noted the following flows:

Hatch	108 cfs
Kingston	216 cfs
O.C. in	69 cfs
Vermillion	91 cfs
Gunnison	270 cfs

The flows at Hatch and Kingston are nearly double their 90-year average. The snow pack has increased from 78% on January 24, 2006 to 88% this morning. Right now the snow pack is higher on the North end of the basin. The SWSI is at -.08. 2005 was the third wettest and 2004 was the driest on the report. Jarvis Sorenson moved to accept the report of the Commissioners. The motion was seconded by Sherwin Sorenson and passed unanimously.

Blaine Ipson reported about the Water 2025 grant in the amount of \$247,540.00. With this funding we will be able to keep improving the real-time measuring system. We are also getting an ultrasonic river cat that will aid the Commissioner in measuring water. We will have a back up server plus additional automation. The RWTA has now incorporated with two other member associations. We each pay 10,000 plus 3% of grants received. We were able to get a line item BOR budget amount of \$240,000. Jarvis asked about a measuring device on Salina Creek and automation on West View. Blaine noted that the SRWU will not fund items for private gates and structures. It will be limited to river items only.

Time was given to Lee to discuss "water rights enforcement procedures." He gave a hand out to each person present. It covered problems that are of concern, notice of violation (NOV), cease and desist orders (CDO). This only affects water right owners and not shareholders within the company. The State Engineer will check into complaints, follow through with investigations, issue notices and penalties. Each day is a separate violation. Violators may have to pay back 2 times the amount of water involved. Kerry Carpenter will be the person in charge of the program. They won't look at finding problems just respond to issues that they are made aware of. The complaints must be made in writing. The total process has a very short time frame. The state will have to prioritize complaints. Violators have 14 days to reply in writing or 7 days for a hearing. There is a way to respond on the States web site. The state can issue a final order. It was noted that the money received goes into the State

general fund and the water repaid to the "system." There was lengthy discussion with various scenarios being discussed. Lee noted that one of the problems with the water rights system in the past is the lack of power in enforcing water rights

Terry Monroe introduced Deon Gardner in the Richfield Office. Lee introduced Jim Wells from Dam Safety.

Russ Christensen asked for discussion of the Articles of Incorporation and how elections are held. Blaine noted that there are 7 directors, 1 each from Garfield, Piute, and Sanpete County and two each from Sevier and Millard County. Each county is supposed to pick their representative. Blaine noted that the board is considering some changes to the Article of incorporation to be presented in a future meeting. Garn noted that he thought it would be better for those counties to elect their representative rather than the members as a whole.

President Sorenson held elections to fill the expired terms of Afton Blood, Russell Christensen, Kurt Sorenson and Blaine Ipson whose terms had expired.

Richard Torgerson nominated Afton Blood. Mr. Blood noted that he had served on the board a long time but was declining the nomination. He then nominated Richard Torgerson who accepted the nomination. Upon a motion and second, Mr. Torgerson was elected director by acclamation.

Dick Muskey moved that all rules and regulations to the contrary be suspended and that Russell Christensen be appointed as director from Sevier County by acclamation. The motion was seconded by Jarvis Sorenson and passed unanimously.

Garn Nielson moved that all rules and regulations to the contrary be suspended and that Kurt Sorenson be appointed as director from Sanpete County by acclamation. The motion was seconded by Jarvis Sorenson and passed unanimously.

Jerry Skeem moved that all rules and regulations to the contrary be suspended and that Blaine Ipson be appointed as director from Millard County by acclamation. The motion was seconded by Clyde Bunker and passed unanimously.

There being no further business, Jarvis Sorenson moved that the meeting adjourn. The motion was seconded by Jerry Skeem and passed unanimously. The meeting adjourned at 2:30 p.m.

ATTEST:

Secretary

President