

WATER USERS ANNUAL MEETING

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The minutes of the Utah Lake and Jordan River Distribution System, including the Jordan River and its tributaries.

The meeting was held at the Department of Natural Resources, Conference Room No. 214, 1636 West North Temple in Salt Lake City, Utah, on January 19, 1989 at 10:10 a.m.

Those present and the users represented were as follows:

Bill Marcovecchio	East Jordan Irrigation
Wayne Ballard	Draper Irrigation Company
Sherwin Allred	Utah Lake Distributing Company
Charles W. Wilson	Salt Lake City Corporation
Keith L. Hansen	Kennecott and North Jordan Irrigation
Dale Bateman	South Jordan Canal Company
Lee Sim	Division of Water Rights
John Larsen	Division of Water Rights
Daryl Devey	Central Utah Water Conservancy District
David B. Gardner	Commissioner
JOHN SUTTON	

Those present with no voting powers were: David B. Gardner, Water Commissioner; Lee Sim and John Larsen of the Division of Water Rights; and Daryl Devey, Central Utah Water Conservancy District. It was determined by a canvass of those present there was adequate qualified representation to form a quorum; therefore, the meeting was considered official.

Mr. Lee Sim introduced himself to those members present and indicated he would be conducting the meeting. Mr. Sim indicated that the first order of business would be to select a chairman and a secretary for this meeting. A motion was made by Mr. Bateman, seconded

by Mr. Marcovecchio, that Charles W. Wilson act as chairman and David B. Gardner act as secretary. Voted and passed unanimously. Mr. Sim then turned the meeting over to Mr. Wilson for the balance of the agenda.

Mr. Wilson then reviewed the agenda with those present and requested that Commissioner Gardner read the minutes of the meeting of January 21, 1988. After the reading of the minutes, a motion was made by Mr. Ballard, seconded by Mr. Hansen, that the minutes be approved as read. Motion voted and passed unanimously.

Mr. Wilson then asked Mr. Sim to review the financial statement as submitted by the Division of Water Rights for the year 1988. He indicated that on the financial statement there were only three items that exceeded the budgeted amount, i.e., the travel expenses for the commissioner, and retirement contributions made for the commissioner and deputy commissioner by the District. He noted that overall there was less money expended than budgeted and felt the District was financially in good condition. He then reviewed the delinquent assessments and indicated that, between John Larsen of the Division of Water Rights and Commissioner Gardner, these deficiencies would be reduced to approximately \$13.00 by the time the new assessment is due. Mr. Larsen also noted that, because Sharon Steel had filed a petition in bankruptcy, it was necessary to reduce its delinquency from \$1,634.75 to \$1,351.50. It was anticipated the other two delinquent assessments would be collected in the near future. Mr. Sim also noted

that this particular District was by far the best District in terms of delinquencies. After the financial statement had been reviewed, a motion was made by Mr. Bateman, seconded by Mr. Marcovecchio, that the financial statement be accepted. Voted and passed unanimously.

There was some discussion concerning the Galena Ditch Company and the waterways throughout this District. Mr. Wilson presented a letter from Trails Council Organization, who are anxious to acquire rights along canal companies' properties for trail riding (horses and off-road vehicles). Mr. Hansen indicated that the North Jordan Irrigation Company had been contacted regarding this matter, but felt that, because of the many, many gates along their right of way, this would not be practical. It was generally agreed that each company concerned would handle this matter on its own behalf.

Mr. Wilson indicated that the next order of business was Commissioner Gardner's report for the year 1988. Mr. Gardner then read his report and some comments were made on the problem of the Deer Creek/Strawberry Exchange Agreement. Discussion continued concerning the storage of Utah Lake water without proper authority from those parties holding the storage rights in Utah Lake, i.e., all of the canal companies in the District. Mr. Bateman made the point that the committee assigned to this project should critique these agreements and, before any further storage is held, that our legal counsel look into the possibility of discontinuing this practice. A motion was then made by Mr. Marcovecchio, seconded by Mr. Ballard, that Mr. Gardner's

report be accepted and made part of these minutes. Voted and passed unanimously.

The next item of business was the setting of the 1989 budget. Mr. Sim indicated that there were minor problems with regard to retirement and two new insurance items, one being the workmens' compensation insurance and the second disability insurance. The State has determined that it was now the responsibility of the water districts to pay for these last two items. Also, under the retirement section, the contribution made by the District on behalf of commissioner's salary was 13.11% and the deputy commissioner's salary was 13.18%. He suggested that the health insurance premium cover the two insurance items mentioned above, plus there was need for a substantial increase in health insurance, due to the fact that the State insurance program was in the hole approximately \$22 million for the year 1988. Commissioner Gardner then explained to those present that the proposed increase in salaries would be contingent upon the percentage increase set for State employees during this legislative session. As usual, money matters in the legislature are at the end of the 45 day period, which would mean that before this matter could be resolved, it would be mid-February. With this in mind, the District set the budget of \$50,740.00 for the year 1989, with the understanding that the Committee would submit back to the Division of Water Rights and their accounting department a new budget on an item by item basis. A motion was then made by Mr. Marcovecchio, seconded by Mr. Ballard, that the budget amount be set at \$48,740.00, with the \$2,000.00 differential to be made

up from monies held in the trust fund. Also included in the motion was a provision that monies would need to be drawn from the trust fund from January 1, 1989 through January 31, 1989 to pay the salaries and expenses of the Commissioner and Deputy Commissioner and also giving the State Engineer the right to use monies in the trust fund account until adequate assessments have been collected by the District. He also indicated that the State Engineer's Office is authorized to charge a ten percent penalty on delinquent assessments. Motion then voted and passed unanimously.

Mr. Wilson then indicated the next order of business was the selection of a water commissioner and a deputy water commissioner to be recommended to the State Engineer for the 1989 appointment. A motion was made by Mr. Marcovecchio, seconded by Mr. Ballard, that David B. Gardner be appointed as Utah Lake and Jordan River Commissioner for the period from January 1, 1989, through December 31, 1989, to use that portion of his time as is necessary to properly distribute the water of said System and to file with the State Engineer's Office an annual report of said Distribution System; also that Mr. Jack B. Rindlisbach be recommended as Mr. Gardner's Deputy Commissioner for that same period of time. The Commissioner and Deputy Commissioner's salaries and expenses shall be as shown on the attached approved Budget. In addition to Mr. Rindlisbach's salary, he shall be entitled to two weeks vacation, with pay, said time period to be approved by Commissioner Gardner in advance of said vacation. Voted and passed unanimously.

Mr. Sim then submitted to each member present a printout of a proposed Diversion Records Data Base, which is a new computerized record-keeping system for all commissioner's reports within the State. He then explained this proposed form item by item and indicated that the use of this form would be very helpful for all concerned in that it would standardize all distribution reports. Mr. Gardner indicated that he would be happy to see such a system augmented. Mr. Sim then indicated it would probably take at least a year before this system could be put on line, and he would keep Mr. Gardner informed as to its progress. For the record, Mr. Gardner indicated he was making this printout a part of the minutes of this meeting.

Mr. Wilson indicated the final order of business was the selection of of a committee to transact any business with the State Engineer's Office on behalf of said water users for the year 1989. A motion was made by Mr. Ballard, seconded by Mr. Hansen, that the following men represent the District: Charles W. Wilson, Chairman; David B. Gardner, Secretary; Dale Bateman, Bill Marcovecchio, and Keith L. Hansen as members. Voted and passed unanimously.

There being no further business, the meeting was adjourned at 11:45 a.m.

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Charles W. Wilson, Chairman

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David B. Gardner, Secretary