



WATER USERS ANNUAL MEETING

Minutes of the meeting of the Water Users on Utah Lake and Jordan River from the pumping plant on Utah Lake to and including the North Jordan Weir near Midvale, Utah.

The meeting was held in the Utah State Engineer's Office, State Capitol, January 16, 1967, at 10:00 a.m.

Those present and the users represented were as follows:

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| Hubert C. Lambert | Utah State Engineer |
| Frank Reese | Controller, State Engineer's Office |
| Richard R. Pexton | Accountant, State Engineer's Office |
| John Bene | Deputy State Engineer |
| Donald C. Norseth | Distribution Engineer, State Engr's Office |
| S. Bryce Montgomery | Acting Area Engineer, State Engr's Office |
| William L. Burton | State Engineer's Office |
| C. J. Barber | U.S. Smelting, Mining & Refining Company |
| F. E. Seal | Pres., Utah Lake Distributing Company |
| Herman C. Nielsen | Pres., South Jordan Canal Company |
| C. Rell Swensen | Pres., North Jordan Irrigation Company |
| Richard Carlquist | Pres., Draper Irrigation Company |
| Alma Fairbourn | Pres., East Jordan Irrigation Company |
| Charles W. Wilson | Supt., S.L.C. Dept. Water Supply & Waterworks |
| Elmer J. Taylor | Utah Power & Light Company |
| Morris Butterfield | Director, Utah and Salt Lake Canal Co. |
| V. H. Morgan | Vice-Pres., Utah and Salt Lake Canal Co. |
| David I. Gardner | Comm., Utah Lake & Jordan River |

Hubert C. Lambert, Frank Reese, Elmer J. Taylor, Richard R. Pexton, John Bene, Donald C. Norseth, S. Bryce Montgomery, Morris Butterfield, V. H. Morgan, William L. Burton and David I. Gardner were present, but had no voice in the voting.

Hubert C. Lambert, Utah State Engineer, opened the meeting and set out the procedure of the meeting. It was determined by canvass of those present that there was a quorum in attendance. It was moved by Mr. Swensen and seconded by Mr. Nielsen that Mr. Charles W. Wilson act as Chairman of the meeting, and Mr. David I. Gardner act as Secretary, and that if there were no objections to these two gentlemen succeeding them-

selves to these positions that they be elected by acclamation. There was no objection, and the motion was carried unanimously.

The meeting was called to order by Mr. Charles W. Wilson, Chairman of the Board. Mr. Wilson called on the State Engineer, Mr. Hubert C. Lambert, for a discussion of the movement afoot to have the State Engineer make a thorough and exhaustive study of the water rights of Utah Lake, and also the rights of the Lower Jordan from 7800 South down to Great Salt Lake. The State Engineer said that Governor Rampton had included \$100,000.00 in his budget message to the legislature for the implementation and financing of this study. The General Adjudication Suit filed about 1937 had previously been assigned to the State Engineer's office in about 1940. Little, if any, work had been done by the State Engineer's office along this General Adjudication line up to the present time. He was hopeful that the money would be available, and that they might start at once on this work.

Mr. Charles W. Wilson, Chairman, ordered the Secretary, Mr. David I. Gardner, to read the minutes of the previous meeting held January 20, 1966. There were no amendments or corrections, and the minutes were approved as read.

The Chairman then asked for a financial report which was read and explained by Mr. Frank Reese, a copy of the financial report having previously been furnished to the Secretary for distribution to each of the major users in the District. Among other things, the 1966 report showed as follows:

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| A. Balance of Distribution Funds January 1, 1966: | \$ 6,426.77 |
| B. Receipts and Expenditures: | |
| 1. Receipts: | |
| (a) Regular Assessments | \$11,505.13 |
| (b) Delinquent Collections | 3.91 |
| (c) Total Receipts | <u>\$11,509.04</u> |

C. Balance of Distribution Funds
December 31, 1966

\$ 6,070.04

The bank balance showed a decrease of \$356.73
for the year 1966.

Mr. Swensen moved that the financial report be approved and ordered filed. Seconded by Mr. Fairbourn. Carried unanimously.

At the request of the State Engineer and Mr. Wilson, Mr. Norseth gave a very learned discussion on the method now set up for proceeding with the work of distributing of the waters from Utah Lake through Jordan River to Great Salt Lake. He said there were three engineers in the State Engineer's Office handling this work, and that they hope to proceed in an orderly and efficient manner to bring it to a successful conclusion.

The Chairman declared the next order of business would be the election of a Commissioner and Deputy Commissioner for recommendation to the State Engineer for appointment. Mr. Seal moved that David I. Gardner be recommended to the State Engineer for the position of Commissioner of Utah Lake and Jordan River, and that Mr. Jack Rindlisbach be recommended to the State Engineer for appointment to the position of Deputy Commissioner of Utah Lake and Jordan River, both for the period from January 1, 1967, to December 31, 1967, or until a successor to either or both be appointed and qualified. It was seconded by Mr. Swensen, and was carried unanimously.

At this point, Mr. Hubert C. Lambert, Utah State Engineer, made a statement accepting the two appointees as recommended by the water users assembled, and complimented the Commissioner and Deputy Commissioner for their efficient and trouble free operation of the District.

It was moved by Mr. Swensen and seconded by Mr. Nielsen, that the salary of the Commissioner be set at \$5,500.00 per year, payable in

12 equal monthly installments for such portion of his time as is necessary to properly distribute the waters of the system and file a complete report of his work with the State Engineer, and in addition to the above salary the association shall pay the telephone bill of the Commissioner, he shall receive 7¢ per mile automobile expense while on official duty, and \$20.00 per month shall be paid to the Commissioner for office rent. Carried unanimously.

It was moved by Mr. Swensen and seconded by Mr. Nielsen that the salary of the Deputy Commissioner be set at \$4,200.00 per year, payable in 12 equal monthly installments, and in addition to the above salary he shall receive 7¢ per mile automobile expense while on official duty. Said automobile expense shall be approved by the Utah Lake Commissioner. Carried unanimously.

It was moved by Mr. Seal and seconded by Mr. Fairbourn that the same committee from the Water Users be elected to serve as representatives for the Water Users of the District in transacting any business with the State Engineer on behalf of the District for the ensuing year. Mr. Charles W. Wilson, Mr. Richard Carlquist, Mr. Herman C. Nielsen and Mr. David I. Gardner were members of the previous committee who were to serve for the ensuing year, and Mr. Charles W. Wilson was to act as Chairman and Mr. David I. Gardner as Secretary. Carried unanimously.

The next order of business was the setting of the budget for the year 1967. Mr. Carlquist moved and Mr. Fairbourn seconded the motion that the budget for 1967 be set at \$12,219.40, to be distributed to the various accounts as follows:

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| WATER COMMISSIONER OF UTAH LAKE | |
| Salary | \$ 5,500.00 |
| Travel | 600.00 |
| Telephone | 120.00 |
| Social Security Matching | 242.00 |
| State Retirement | 220.00 |
| DEPUTY WATER COMMISSIONER OF UTAH LAKE | |
| Salary | \$ 4,200.00 |
| Travel | 150.00 |
| Social Security Matching | 184.80 |
| State Retirement | 168.00 |
| NEW EQUIPMENT | 100.00 |
| BONDS AND INSURANCE PREMIUMS | 75.00 |
| COMMISSIONER'S REPORT | 250.00 |
| OFFICE SUPPLIES | 100.00 |
| CONTINGENCY EXPENSE AVAILABLE FOR DEFICIENCY FUNDS | 69.60 |
| OFFICE RENT | <u>240.00</u> |
| TOTAL | \$12,219.40 |

*Correct
12,000.00*

Further, that the State Engineer be authorized to assess the water users so as to produce \$12,219.40 as set up in the budget for operation and maintenance, and that the difference between the budget and the amount to be collected be made up from the now existing bank balance, and that the minimum assessment to any water user be \$1.00, and that the State Engineer be authorized to use any surplus or bank balance remaining to the credit of the association on December 31, 1966, to meet expenses until such time as the 1967 assessment is collected, and that the State Engineer be authorized to charge a 10% penalty on all accounts that are over 60 days delinquent. The motion was carried unanimously.

At this point Mr. Frank Reese, Controller, Utah State Engineer's Office, explained that in all previous years the assessment to each user had been based on a 5 year average in proportion to the ratio that this

5 year average bore to the total 5 year average use. He explained further that this was a very time consuming method for his office to have to run each year the different percentages, and recommended that the present year be based solely on the use of each user for the year preceding the year for which the budget was set. The matter was referred to the Commissioner for his comment.

The Commissioner pointed out that from a year to year basis, there might be some abrupt changes in any one year through accident, break in canal, or short water periods. A canal company may be dry, and would not be required to pay any assessment, and the total cost would have to be borne by the other companies. However, if a new right entered the system they would have to pick up the cost of the next years distribution in proportion to the one years use. Under the existing method, they would be required to pick up only 1/5th of the cost of their distribution each year.

It was moved by Mr. Carlquist and seconded by Mr. Fairbourn that the method of assessment proposed by Mr. Reese - that the one year first preceding the year of the assessment be the basis for the 1967 assessment. Carried unanimously.

The Commissioner was asked to make a report of the outlook for the coming year of the water supply for Utah Lake. The report was as follows:

The elevation of Utah Lake on December 31, 1966, was - 3.90 feet below compromise, and the storage under the new rating table as furnished by the Bureau of Reclamation was 547,500 acre feet. This new table was a revision of the one that had been in use since 1935 on the lake, and resulted from some airplane photographs and precision surveys made in 1961. The capacity of the lake at compromise elevation under the new table shows 898,000 acre feet while the old table showed 827,900 acre feet in storage above - 12 feet, or there is a difference in the two rating tables of 70,100 acre feet.

The new rating table was adopted by the State Engineer in 1965 as the official capacity, but I did not use the table until the publication of this year's records.

The Weather Bureau's forecast of runoff to Utah Lake as of January 1, 1967, was from 100 to 115% average. There appears little of a likelihood that a water shortage will develop on Utah Lake this year.

It was moved by Mr. Seal and seconded by Mr. Swensen that the Utah Lake Water Users approve the Utah Lake and Jordan River Dam Commission as selected. Carried unanimously.

There being no further business to come before the meeting, it was moved by Mr. Barber that the meeting adjourn. Seconded by Mr. Seal. Carried unanimously.


/s/ Charles W. Wilson
Chairman


/s/ David I. Gardner
Secretary