

APPROVED
PROVO RIVER DISTRIBUTION SYSTEM
MINUTES OF THE ANNUAL MEETING OF THE BOARD OF DIRECTORS WATER USERS
JANUARY 26, 2010

Pursuant to the 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 27, 2010, at the Central Utah Water Conservancy District offices, located at 355 West University Parkway, Orem, Utah.

Board Members in Attendance

Alan Brown	Heber Valley East Canals
Jeff Bryant	<i>Provo Reservoir Water Users Company</i>
Jeff Budge	Provo River Water Users Association
Daryl Devey	Central Utah Water Conservancy District
John Hinckley	East Provo River Canals
Jack Jones	West Provo Canals
Farrell Knight	Individual Rights
Bart Simons	Provo City Canals
Ed Ure	Kamas Valley Canals
Ken VanWagoner	Heber Valley West Canals

Others in Attendance

Connely Baldwin	PacifiCorp
Susan Odekirk	Division of Water Rights
Paul Pierpont	Central Utah Water Conservancy District
Stan Roberts	River Commissioner
Lee Sim	Division of Water Rights
Matt Tietje	Metropolitan Water District of Salt Lake & Sandy
Debbie Vanoy	Central Utah Water Conservancy District
Teresa Wilhelmsen	Division of Water Rights

Call to Order

The meeting was called to order by Chairman Ure.

Adoption of Minutes

Mr. VanWagoner made a motion to approve the minutes. The motion was seconded by Mr. Brown. The motion passed unanimously.

Commissioner's Report

Mr. Roberts presented Mr. Sim with a copy of the annual report. He stated that the section on individual canals is not completed but will be forthcoming. Mr. Roberts then expressed appreciation to all the agencies and individuals involved in making the report possible. A copy of "Summary 2009" was also distributed. A copy of the summary is attached and is made a part of these minutes by this reference. Mr. Roberts then reviewed the summary in detail. Under the page "Data Summary 2009", the number shown on the "Flows Past Harbor Drive Gage" for 2008 is incorrect and asked that it be crossed off.

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Mr. Budge made a motion to accept the Commissioner's Report. Mr. Simons seconded the motion. The motion passed unanimously.

Review of Concerns Related to Commissioner's Work for 2009

Mr. Budge expressed that the Board was happy with the responsiveness and the fact that the annual report was completed this year. He also expressed appreciation for the work Mr. Roberts has accomplished this last year. He also mentioned that he challenged all those that provide information to Mr. Roberts to try to do so in a timelier manner so that Mr. Roberts can continue to provide information in this same responsive manner as last year.

Report from the Division of Water Rights

Mr. Sim expressed appreciation to Mr. Roberts for the great job on the report and then turned the time over to Ms. Odekirk. She expressed appreciation to Mr. Roberts for taking the time to meet with her every two weeks to familiarize her with the system. She also expressed that she is looking forward to getting out on the system more this year and working with Mr. Roberts.

Hearing of the 2009 Financial Reports

Ms. Odekirk reviewed the "Provo River Distribution System Trust Fund 2009 Financial Statement" and "Provo River (LCD) Distribution System Trust Fund 2009 Financial Statement" in detail. Copies of these reports are attached and made a part of these minutes by this reference. She mentioned that the back pages of these reports list the delinquent accounts. She stated that most of these accounts are small accounts and the majority of them are probably on the list because of outdated information at the State. The Bureau of Reclamation is on the list because they have been working with her to try and combine some of their accounts. They will pay as soon as it is straightened out. Ms. Odekirk requested that if anyone knows someone on the delinquent list, to get in contact with her and she will update the State's information.

Mr. Jones made a motion to accept the reports. Mr. Brown seconded the motion. The motion passed unanimously.

Reviewing Delinquent Assessment Accounts

Mr. Roberts stated that he had talked to the Bureau of Reclamation on January 25, 2010, and they confirmed what Ms. Odekirk had explained previously regarding their water rights. Mr. Roberts also mentioned that East River Bottom Water Company made a check out on March 5, 2009, for their assessment and asked the State to research and see if they ever received the check. Mr. Roberts then suggested that he meet with the State when they have completed all of their annual meetings and get updated information. He will then personally contact the remaining individuals on the delinquent list to bring the accounts current.

Mr. Devey made a motion that Mr. Roberts take care of the delinquent accounts. Mr. Jones seconded the motion. The motion passed unanimously.

Discussion of the 2010 Budget

The line item budget for the Provo River Distribution System, as discussed in the meeting of the Board on January 25, 2010, was presented to Mr. Sim. Mr. Roberts explained that a three percent (3%) increase was approved for Mr. Roberts making his salary \$67,408. Mr. Sim figured the Social Security at \$5,156, Retirement was set at \$11,000, and Insurance was set at \$14,000. Travel Expense was set at \$3,000.

The salary for Alan Brown was set at \$10,821, again reflecting a three percent (3%) increase. Mr. Sim figured Social Security at \$828, insurance was left at \$150, and Travel Expense was set at \$1,000. Mr. Gummow was not replaced upon retirement, so there was no need for a budget for a second deputy commissioner. Secretary Expense was set at \$1,100, Committee Expense \$4,000, Office Expense \$2,500, Supplies and Equipment \$2,000, Telephone Expense \$1,600, Miscellaneous Expense \$1,695, State Engineer Assessment \$8,742, and Annual Report \$1,000. There was nothing budgeted for System Transfer because Mr. Sim explained that the effort is to transfer what is left over in the LCD account into the main account.

Mr. Devey made a motion to set the Provo River Distribution System budget at \$136,000. Mr. VanWagoner seconded the motion. The motion passed unanimously.

Mr. Bryant made a motion to set the assessment for the Provo River Distribution at \$136,000. Mr. Budge seconded the motion. The motion passed unanimously.

The proposed budget for the Provo River (LCD) Distribution System Trust Fund was then discussed. The salary for Mr. Roberts was set at \$1,545, Social Security \$118, Retirement \$242, and Insurance \$21. The State Engineer's Assessment was set at \$140. There was no budget set for the System Transfer, since whatever is excess will be transferred to the main account at the end of the year.

Mr. Budge made a motion to set the Provo River (LCD) Distribution System budget at \$2,066. Mr. Devey seconded the motion. The motion passed unanimously.

Mr. Knight made a motion to set the assessment for the Provo River (LCD) System at \$3,000. The motion was seconded by Mr. Budge. The motion passed unanimously.

Selecting New Chairman and Committee Members

Mr. VanWagoner made a motion to retain the current Chairman, Officers, and to retain Stan Roberts as River Commissioner and Alan Brown as Deputy Commissioner. Mr. Simons seconded the motion. The motion passed unanimously.

Other Business

Mr. Roberts discussed the assessment for water that is changed to a well. A discussion in the meeting on January 25, 2010, concluded that if it was a water share, then the company could be assessed as if no water left the company, but there was a question on how individual water rights could be assessed.

Mr. Sim explained that the assessments have always been based on the Wentz number on the Provo River, which is associated with the water right. If water has been moved into a well, they should still be getting the same assessment. He went on to explain that last year at the Board's request he understood that they were going in the direction of applying an impact fee on those individual changes so it was just a one-time assessment. However, because of changes in staff and budget cuts, they have not had a chance to work on that, so they do not have a proposal prepared. Mr. Sim asked what was really expected of Mr. Roberts concerning the changes that are made to move water off of the river? Is he really expected to read wells and monitor that water?

In response to a question from Mr. Baldwin, Mr. Sim explained that this system has not really regulated ground water. In most systems, the State has found that realistically the commissioner cannot keep track of all of the water that is moved off of the system, it is just too big of a job. Water that is still on the

system needs to be tracked along with water that is diverted from surface diversions, but if it is moved into a well, it is tracked in a data base.

Mr. Devey stated that it appears it is really impractical to expect the commissioner to read how much water is being taken from a well, but that there is still the concern of too much water being diverted. Mr. Sim said there is no way to verify that short of having every commissioner monitor the wells.

Mr. Sim then introduced Teresa Wilhelmsen as the new Regional Engineer for the Utah Lake/Jordan River region. She replaces John Mann.

Ms. Wilhelmsen stated that the only time the State could assure there is not more water being diverted is when the proof of beneficial use is filed. Meters are not always required, but even if there is a meter, they don't necessarily have to report annually unless they are a public water supply.

Mr. Devey stated he believes that the Board is actually doing the assessments right, and unless there is going to be extra work, the special assessment is not really needed.

Mr. Roberts suggested that he would go out and look at a couple of the larger wells and monitor their right; how much they have and how much they are actually using. Then present this information as part of his report next year

Mr. Knight made a motion that Mr. Roberts monitor a couple of the larger wells and report back to the Board next year. Mr. Simons seconded the motion. The motion passed unanimously.

Mr. Devey made a motion to adjourn.

Mr. VanWagoner suggested that next year the two meetings be held on the same day; one in the morning and one in the afternoon.

Mr. Sim said that they could move the Spanish Fork meeting to the morning and then have this meeting in the afternoon if the Committee wanted to meet on Tuesday. Next year the meeting will be held on the fourth Tuesday, which would be the 25th of January at 1:30 p.m.

Mr. VanWagoner then seconded the motion to adjourn. The motion passed unanimously.

The meeting then adjourned.

Summary 2009

Class A rights were delivered at 100 percent in Utah Valley along with some secondary rights and rights in the upper river (Heber and above) were delivered as follows:

May 1 - July 6	17 th class
July 7	16 th class
July 8 - July 11	14 th class
July 12 - July 13	13 th class
July 14	12 th class
July 15 - July 16	11 th class
July 17 - July 23	1 st class
July 24 - Aug 5	85 percent of 1 st class
Aug 6 - Aug 13	60 percent of 1 st class
Aug 14 - Sep 3	50 percent of 1 st class

In the Woodland area, the Phillips ditch and the Larson to Cutler turnout were measured on a regular basis for the first time in many years.

The electronic apparatus for recording and sending out the measurements on the Midway River ditch broke down and had to be replaced. Due to the need for real time data from this station, the cost was split equally between Midway, Central Utah WCD and the river distribution system.

Litigation in the court is still on going between CUWCD and Timpanogos, Upper East Union and East River Bottom irrigation companies.

Progress has been made on enclosing the Provo Reservoir Canal as it appears a contract for doing so should be forthcoming.

The position of deputy commissioner held by Fred Gummow was not refilled upon his retirement and Alan Brown was selected as deputy on the upper river at the retirement of Linden Maxfield.

The water supply was very good for the year as shown by the following data.

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DATA SUMMARY 2009
values in acre feet

	2009	2008
DUCHESNE TUNNEL (net to Deer Creek Reservoir)	27446	26269
WEBER - PROVO CANAL (net to Deer Creek Reservoir)	54078	56695
ECHO STORAGE (net to Users)	4800	4800
no 9580		
s tot	58878	61495
WASHINGTON - S KAMAS INFLOW	1565	1292
SHINGLE CREEK (exceeded 98 ac ft)	4802 16 days	4657 9 days
UPPER LAKE STORAGE	9763	9763
ONTARIO TUNNEL	13336	12173
CONSERVED FLOWS TO UTAH VALLEY	14200	
FLOWS PAST MIDWAY BRIDGE	215181	
FLOWS PAST HARBOR DRIVE GAUGE	165424	10748
DELIVERED FOR JUNE SUCKER	17233	
POWER PLANT (OLMSTEAD)	97172	84122
JORDANELLE RESERVOIR		
FILLED & PEAKED JUNE 21, 2009	ELEV 6166.62	CONTENTS 314672
31-Oct-09	ELEV 6140.70	242218
TOTAL RELEASE 2009	256654	
EVAPORATION 2009	7706	
FILLED & PEAKED JUNE 30, 2008	ELEV 6166.64	CONTENTS 314732
31-Oct-08	ELEV 6140.41	241473
TOTAL RELEASE 2008	241255	
EVAPORATION 2008	5633	

DEER CREEK RESERVOIR

FILLED & PEAKED JUNE 13, 2009 ELEV 5417.03 CONTENTS 152645
OCTOBER 31, 2009 ELEV 5406.11 125476
TOTAL RELEASE 2009 286138
EVAPORATION 2009 8365
100 PERCENT ALLOTMENT
EXTRA ALLOTMENT MAY 26-JULY2

PEAKED (NOT FULL) JULY 1, 2008 ELEV 5390.31 CONTENTS 92724
OCTOBER 31, 2008 ELEV 5385.76 CONTENTS 84395
TOTAL RELEASE 2008 265193
EVAPORATION 2008 5633
90 PERCENT ALLOTMENT
FILLING RESTRICTIONS DUE TO REPAIRS

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2009 Upper Lakes Summary

Stored in Jordanelle	Acres Feet Stored In Jordanelle	Provo Reservoir Water Users Co.	Extension	Timpanogos	Wasatch	Provo	Washington (Big-Elk)	Upper Lks. CUP
Crystal	38	38						
Duck	420		420					
Fire	87	87						
Island	98	98						
Long	822	744	78					
Marjorie	260			260				
Star	314	141	15	79				
T-Pot	70	68	2					
Weir/Pot	162	162						
Wall	2030	918	97	508		508	407	
Big Elk (871)	407							
Lost Provo Lake	300					300		
Sub total	5008	2256	192	1267	587	300	407	0

Upper Lakes Storage	Acres Feet Water Users Exchange Credit To Jordanelle	Provo Reservoir Water Users Co.	Extension	Timpanogos	Wasatch	Provo	Washington (Big-Elk)	Upper Lks. CUP
Trial (1662)	1520	689	71	380	380			142
Washington (2355)	2080	940	100	520	520			0
Lost (1155)	691	322	47			322		0
Lost (Big Elk)	464						464	
Sub total	4755	1951	218	900	900	322	464	142
Total	9763	4207	410	2167	1487	622	871	142

* Washington Irrigation receives 782 (Average Annual)

PROVO RIVER DISTRIBUTION SYSTEM
2009 Budget Expenditures

Item No	Item Description	2009 Amount Budgeted	2009 Amount Expended	2009 Amount Reimbursed	2009 Item Balance
Roberts Jr., Stanley H.					
1	Salary	66,945.00	66,944.98	0.00	0.02
2	Social Security	5,121.00	5,077.17	0.00	43.83
3	Retirement	10,524.00	10,531.43	0.00	-7.43
4	Insurance	15,000.00	11,113.84	0.00	3,886.16
5	Travel Expense	2,500.00	2,314.95	0.00	185.05
Brown, Alan					
6	Salary	10,506.00	10,506.00	0.00	0.00
7	Social Security	825.00	797.63	0.00	27.37
8	Insurance	150.00	80.75	0.00	69.25
9	Travel Expense	1,200.00	581.90	0.00	618.10
Gummow, Fred					
10	Salary	5,356.00	0.00	0.00	5,356.00
11	Social Security	425.00	0.00	0.00	425.00
12	Insurance	100.00	0.00	0.00	100.00
13	Travel Expense	850.00	0.00	0.00	850.00
14	Secretary Expense	2,500.00	2,500.00	0.00	0.00
15	Committee Expense	4,000.00	2,826.84	0.00	1,173.16
16	Office Expense	2,500.00	667.09	0.00	1,832.91
17	Supplies & Equipment	2,000.00	572.31	0.00	1,427.69
18	Telephone Expense	1,600.00	1,359.58	0.00	240.42
19	Miscellaneous Expenses	1,104.00	450.00	0.00	654.00
20	State Engineer Assessment	8,794.00	8,794.00	0.00	0.00
21	Annual Report	1,000.00	236.18	0.00	763.82
22	System Transfer	0.00	0.00	4,000.00	4,000.00
Totals :		143,000.00	125,354.65	4,000.00	21,645.35

PROVO RIVER DISTRIBUTION SYSTEM
2009 Total Assessment Amount : \$135,000.00

PROVO RIVER DISTRIBUTION SYSTEM
2010 Proposed Budget Worksheet

Item No	Item Description	2009 Amount Budgeted	2009 Item Balance	2010 Proposed Budget

Roberts Jr., Stanley H.				
1	Salary	66,945.00	0.02	_____
2	Social Security	5,121.00	43.83	_____
3	Retirement	10,524.00	-7.43	_____
4	Insurance	15,000.00	3,886.16	_____
5	Travel Expense	2,500.00	185.05	_____
Brown, Alan				
6	Salary	10,506.00	0.00	_____
7	Social Security	825.00	27.37	_____
8	Insurance	150.00	69.25	_____
9	Travel Expense	1,200.00	618.10	_____
Gunnow, Fred				
10	Salary	5,356.00	5,356.00	_____
11	Social Security	425.00	425.00	_____
12	Insurance	100.00	100.00	_____
13	Travel Expense	850.00	850.00	_____
14	Secretary Expense	2,500.00	0.00	_____
15	Committee Expense	4,000.00	1,173.16	_____
16	Office Expense	2,500.00	1,832.91	_____
17	Supplies & Equipment	2,000.00	1,427.69	_____
18	Telephone Expense	1,600.00	240.42	_____
19	Miscellaneous Expenses	1,104.00	654.00	_____
20	State Engineer Assessment	8,794.00	0.00	_____
21	Annual Report	1,000.00	763.82	_____
22	System Transfer	0.00	4,000.00	_____

Totals :		143,000.00	21,645.35	

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PROVO RIVER DISTRIBUTION SYSTEM
2009 Delinquent Water Assessments

Account Number	Billing Entity Billing Contact	Amount Due

101699	KNUDSEN, ANDREW % JAY CHRISTIANSON	62.15
101710	GILES, DONNA T. C/O JOYCE GILES	82.12
101712	GILES, BERT C/O JOYCE GILES	82.12
101738	USA BUREAU OF RECLAMATION JONES, JONATHAN PRO 410	40.00
101739	BAUM, THOMAS I AND MARGERY K. (REVOCALBE TRUST) TRUSTEE MARGERY K. BAUM	43.85
101740	BAUM, ISAAC R.	166.76
101741	BAUM, LYNN D. AND DEBRA L.	62.15
101742	BUREAU OF RECLAMATION C/O JUSTIN RECORD	54.11
101745	USA BUREAU OF RECLAMATION JONES, JONATHAN (PRO 410)	99.50
101753	USA BUREAU OF RECLAMATION JONES, JONATHAN (PRO 410)	62.52
101759	GINES, WILL	42.17
101768	GINES, MRS AFTON BISEL, DELOY	75.61
101769	USA BUREAU OF RECLAMATION JONES, JONATHAN (PRO 410)	45.79
101770	USA BUREAU OF RECLAMATION JONES, JONATHAN (PRO 410)	104.78
101773	HULT, D RAY & RONDA N	127.37
101774	USA BUREAU OF RECLAMATION JONES, JONATHAN (PRO 410)	40.00
101776	GIBBS, ENNIS	62.15

PROVO RIVER DISTRIBUTION SYSTEM
 2009 Delinquent Water Assessment

Account Number	Billing Entity Billing Contact	Amount Due
101790	USA BUREAU OF RECLAMATION JONES, JONATHAN (PRO 410)	205.60
101791	MOON, HEBER	346.65
101795	KAMAS CITY	44.00
101796	USA BUREAU OF RECLAMATION JONES, JONATHAN (PRO 410)	43.15
101803	USA BUREAU OF RECLAMATION JONES, JONATHAN (PRO 410)	103.90
101808	BISEL, DELOY (JR)	46.56
101812	MCAFFEE, SCOTT (DECEASED)	356.62
101818	USA BUREAU OF RECLAMATION JONES, JONATHAN (PRO 410)	73.96
101829	US BUREAU OF RECLAMATION C/O JONATHON JONES	40.00
101833	LINCOLN REALTY	153.31
101835	REMUND, GRANT RANAE JESSOP	44.00
101836	BUREAU OF RECLAMATION C/O JUSTIN RECORD	46.67
101839	URMCC C/O JOHNATHON JONES	40.00
101840	BUREAU OF RECLAMATION C/O JUSTIN RECORD	40.00
101841	USA BUREAU OF RECLAMATION JONES, JONATHAN	40.00
101843	USA BUREAU OF RECLAMATION JONES, JONATHAN	40.00
101845	WILLIAMS, PAMELA	44.00

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PROVO RIVER DISTRIBUTION SYSTEM
2009 Delinquent Water Assessments

Account Number	Billing Entity Billing Contact	Amount Due
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101846	LIMPERT, RUDY	42.90
101847	USA BUREAU OF RECLAMATION JONES, JONATHAN	40.00
101850	USA BUREAU OF RECLAMATION JONES, JONATHAN	40.00
101865	CRITTENDEN, SPENCER & RACHAEL	42.35
101867	DAVIS, RICHARD	181.38
101873	TURNBAUGH, LARRY	44.00
101876	DAVIS, RICHARD	181.38
101877	DAVIS, RICHARD	181.38
101883	RODEBACK, JIM	82.12
101887	DAVIS, RICHARD	181.38
101890	DAVIS, RICHARD	181.38
101911	ABP INVESTMENTS	128.56
101921	ESNET PROPERTIES L.C.	82.12
101927	SYKES, DWANE J	82.12
101930	PROVO BENCH CANAL RICHARD GAPPMEYER	169.87
101931	CHRISTENSEN, VAUDIS B FAMILY TRUST MS JEANNETTE C REED CO TRUSTEE WITH GALE K CHRISTENSEN	153.31
101932	USA BUREAU OF RECLAMATION JONES, JONATHAN (PRO 410)	59.00

PROVO RIVER DISTRIBUTION SYSTEM
 2009 Delinquent Water Assessment

Account Number	Billing Entity Billing Contact	Amount Due
101935	ROBERTS, STANLEY H	82.12
101943	EAST RIVER BOTTOM WATER CO JEFFS, ROBERT L.	587.44
101945	USA BUREAU OF RECLAMATION JONES, JONATHAN	57.23
101947	ROBERTS, STANLEY H	82.12
101948	ADAMS, JEFFREY E	44.00
101955	KING, VAL WARREN	250.65
101957	ROBERTS, STANLEY H	106.06
101958	ROBERTS, STANLEY H	82.12
101959	ROBERTS, STANLEY H	82.12
101965	JACOBSEN, SALLY ANN	44.00
102911	SUNRISE IRRIGATION CO. BISEL, DELOY (JR)	126.52
102916	MOWER, SHIRLEY & WILLIAMS	104.08
102918	USA BUREAU OF RECLAMATION C/O JONATHAN JONES	40.00
102928	T.K. ASSOCIATES LLC	43.67
103044	USA BUREAU OF RECLAMATION JONATHAN JONES (PRO 410)	479.72
103117	USA BUREAU OF RECLAMATION	40.00
103120	ASPEN RIDGE RANCHES LLC	85.14

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586.30

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PROVO RIVER DISTRIBUTION SYSTEM
2009 Delinquent Water Assessments

Account Number	Billing Entity Billing Contact	Amount Due
103144	GINES, MRS. AFTON SUCCESSOR 2	44.00
103145	GINES, MRS. AFTON SUCCESSOR 3	44.00
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Total Amount Due :		7,259.81

PROVO RIVER (LCD) DISTRIBUTION SYSTEM
2009 Budget Expenditures

Item No	Item Description	2009 Amount Budgeted	2009 Amount Expended	2009 Amount Reimbursed	2009 Item Balance

	Roberts Jr., Stanley H.				
1	Salary	1,500.00	1,500.02	0.00	-0.02
2	Social Security	115.00	115.00	0.00	0.00
3	Retirement	235.00	235.00	0.00	0.00
4	Insurance	20.00	20.00	0.00	0.00
5	State Engineer Assessment	130.00	130.00	0.00	0.00
6	System Transfer	4,000.00	4,000.00	0.00	0.00

	Totals :	6,000.00	6,000.02	0.00	-0.02

PROVO RIVER (LCD) DISTRIBUTION SYSTEM
2009 Total Assessment Amount : \$3,000.00

KANO RIVER (LCD) DISTRIBUTION SYSTEM
2010 Proposed Budget Worksheet

Item No	Item Description	2009 Amount Budgeted	2009 Item Balance	2010 Proposed Budget

	Roberts Jr., Stanley H.			
1	Salary	1,500.00	-0.02	_____
2	Social Security	115.00	0.00	_____
3	Retirement	235.00	0.00	_____
4	Insurance	20.00	0.00	_____
5	State Engineer Assessment	130.00	0.00	_____
6	System Transfer	4,000.00	0.00	_____

	Totals :	6,000.00	-0.02	

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PASO RIVER (LCD) DISTRIBUTION SYSTEM
2009 Delinquent Water Assessments

Account Number	Billing Entity Billing Contact	Amount Due
101979	BEESMARK INVESTMENT L C RASMUSSEN, RALPH	267.00
101980	PROBST, REDGIE & ROBIN	27.50
101986	FOXTROTTER, STEPHEN LLC	44.00
-----		-----
Total Amount Due :		338.50