

* 1973 *

Minutes of the Alvey Wash Distribution System Water User's Meeting

The annual meeting on the Alvey Wash Distribution System was called to order by Judge Don V. Tibbs at 11:00 A.M. on April 5, 1973, in Escalante, Utah. Judge Tibbs made the proper introductions and made a note for the records that in the past month the State Engineer of Utah, Hubert C. Lambert, has died and at the present time the Division of Water Rights was under the supervision of the Chief Deputy State Engineer.

The minutes of the previous water users meeting, held on June 6, 1972, were read by Gerald W. Stoker, Area Engineer for the Southwestern Area Office, and a discussion followed concerning the amount of water delivered to the water users. This point was clarified and the minutes were approved as read with that clarification. Judge Tibbs noted for the record that the meeting was not to determine controversies. Any controversies would have to be settled in a court of law.

The financial statement was read and explained by Gerald W. Stoker and the report was approved as read.

In the financial report there was an item of \$25.00 for the commissioners report, however, since the commissioner, William Hathaway, resigned before a report was compiled there was no expenditures against this item. The measurements made by Mr. Hathaway were forwarded to the Southwestern Area Office in Cedar City and the following is an interpretation of those measurements:

<u>Water User</u>	<u>Acre Feet Allowed</u>	<u>Delivered</u>	<u>% of Total</u>	
(5) McKay Bailey (J. C. Spencer Right)	75.00	96.45	15.33	91.98
(2) Vay Barney	214.50	-0-	-0-	—
(4) Thurman Spencer	81.90	9.30	1.48	8.88
(1) Paul Steed (Zelma Wilson Right)	180.00	324.37	51.56	309.36
(3) Leo Wilson	183.30			
1. North #2		123.68		
2. South #1		25.07	31.63	189.78
3. South #2		50.21		
Total	734.70	629.08		\$600.00

The above report was read and explained to the water users. A discussion followed concerning the amount of water delivered during the 1972 irrigation season and it was determined that most of the water came during the early part of the season and that during the later months there was not enough

water to effectively irrigate their crops. Remarks were also made with regards to the acre foot cost of the water on Alvey Wash as compared to other irrigation companies. It was determined that if you own the water right then it will be necessary for you to pay your fair share.

The next item of business concerned the appointment of a water commissioner. Paul Steed introduced John Winfield from Boulder who has been serving as the water master for the Boulder Irrigation Company and who might be interested in the commissioner position on Alvey Wash. Mr. Winfield was reluctant to attend but did agree to listen in on the meeting. Judge Tibbs agrees that it is still important that a commissioner be appointed to this system because of the difficulties and suggested that a local man be appointed to hold down the costs of operating the system. Leo Wilson offered a suggestion that each water user who wished to nominate a man for the job do so and then the group at the meeting could vote on these men. Judge Tibbs allowed that this would be in order but the final decision would have to be made by the court since the position of commissioner and the distribution system is under the jurisdiction of the court. The question of a commissioner was "thrown out" to the group and it was suggested by Leo Wilson that Melvin Alvey, who has recently retired, would be interested in the job. A poll was taken of those present and they agreed unanimously that Melvin Alvey would be acceptable to the water users on Alvey Wash.

600.00
A discussion of wages and mileage ensued and by further agreement the group allowed that \$2.00 per hour should be acceptable and the the mileage of \$0.10 per mile would remain the same. A motion was made by McKay Bailey and was seconded by Thurman Spencer that a budget and an assessment be made for \$600.00 to operate the system for the coming season. The motion was passed unanimously and instructions were given to Gerald W. Stoker to contact Mr. Melvin Alvey to see if he would be interested in accepting the position of commissioner.

Judge Tibbs stated that if Mr. Alvey is willing to take the job as commissioner then he would appoint him as soon as this has been confirmed.

There was no further business and the meeting adjourned.

The following is a list of those present at this meeting:

Judge Don V. Tibbs, Sixth Judicial District Court
Gerald W. Stoker, Division of Water Rights
Norman H. Day, Division of Water Rights
Claron Barney, representing Vay Barney, Alvey Wash Water User
Leo Wilson, Alvey Wash Water User
Paul Steed, Alvey Wash Water User
McKay Bailey, Alvey Wash Water User
Thurman Spencer, Alvey Wash Water User
John L. Trayner, Utah Power and Light Co.

April 6, 1973

Honorable Judge Don Tibbs
County Courthouse
Manti, Utah 84642

RE: Alvey Wash Distribution System

Dear Judge Tibbs:

Pursuant to your instructions received in the annual meeting of the Alvey Wash Distribution System concerning the appointment of a water commissioner we have contacted Mr. Melvin Alvey of Escalante, Utah. Mr. Alvey is willing to take the position on this system at the wages we discussed in the meeting (\$2.00 per hour & \$0.10 per mile) and will commence his duties as soon as confirmation on his appointment is received from your office and as soon as he has met and inspected the system with a representative from the Division of Water Rights. We impressed upon him the responsibility of the position and to the effect that he will receive all of his instructions from either the District Court, directly, or through the office of the State Engineer. A statement from your office concerning this policy would further clarify the situation.

We are enclosing a copy of the minutes taken at this meeting and would appreciate it if you could review the minutes and see if they are correct and complete. If you have any questions or comments we would be happy to hear from you.

As soon as we are able to compile the necessary reporting forms and other materials we will meet with Mr. Alvey and give him further instructions on regulating the system.

Very truly yours,



Gerald W. Stoker
Area Engineer

cc: Donald C. Norseth