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MINUTES OF WATER USERS MEETING FOR THE ALVEY WASH DISTRIBUTION SYSTEM

The annual meeting for the Alvey Wash Distribution System was called to order by Judge Erickson at 9:35 A.M., June 6, 1972, in the Garfield County Courthouse. Judge Erickson commented on the need for water distribution systems and control over the water rights. The Sevier River system has experienced many legal difficulties over the years and much money has been expended because people could not agree on water rights and usage of this water and legal action was required to settle the issue. He commended the people on Alvey Wash for "getting along" as well as they have over the past year.

Judge Erickson asked that the financial statement be read and explained to those present. Gerald W. Stoker, Area Engineer, read the statement that had been prepared by Richard Pexton and clarified questions by the Water Users. A motion was made by Paul Steed that the financial statement be accepted as read and explained, the motion was seconded by Leo Wilson and was passed.

Paul Steed brought up the subject of the commissioners salary and noted that it was low in comparison with other occupations. Mr. Steed recommended that the salary be raised so that the commissioner would be compensated for the responsibility he undertook. Judge Erickson commended William Hathaway on the fine way that he performed his duty over the past irrigation season and indicated that the water users should consider a raise in pay at this time. Mr. Vay Barney entered an objection concerning the assessment system stating that he had paid a large sum of money into the system for the last year but did not receive even his share of the primary water. There was a discussion at this time with regards to Mr. Barney's water right and his point of diversion. It was the general opinion that Mr. Barney was at a disadvantage, being on the lower end of the distribution system, and that he had a complex problem in diverting his water from the natural stream. It was suggested that Mr. Barney develop a system where he could pump his water from the wash and onto his irrigated land. Judge Erickson indicated that there would, probably, be federal funds available to assist in this type of development and it would be to his advantage to check into this possibility. Because Mr. Barney did not divert any water during the past irrigation season it was decided that he would be assessed a minimum assessment of \$25.00 to offset any expenses incurred by the commissioner to or in checking his diversion of water for the coming year.

There was a short discussion on the duty of water for the Escalante River - Alvey Wash Area (set at 3.0 acre feet per acre per year in the proposed determination of water rights for this area) but Judge Erickson declared that this item could not be settled at this meeting and that it was a matter for the courts.

William Hathaway, Water Commissioner, gave a report on the water delivered over the past irrigation season and explained that the total acre feet is computed from an average flow over the individual water users period of use. The breakdown is as follows:

| <u>Water User</u> | <u>Decreed Acres</u> | <u>Acres Feet</u> | <u>Water Delivered</u> |
|-------------------|----------------------|-------------------|------------------------|
| Vay Barney | 71.5 | 180.0 | -0- |
| McKay Bailey | 25.0 | 75.0 | 143.8 |
| Paul Steed | 60.0 | 180.0 | 223.9 |
| Leo Wilson | 61.1 | 183.3 | 291.0 |
| Thurman Spencer | 27.3 | 81.9 | 34.0 |

Mr. Lambert, State Engineer, emphasized the fact that all adjustments or changes made to the delivery of this water must be made by the water commissioner or through his approval. Judge Erickson stated that if anyone went contrary to the decisions of the court, the State Engineer, or the water commissioner, that they would be held in contempt of court and subject to legal action.

The budget was discussed and the water users agreed that the salary of the commissioner would be raised from \$2.00 to \$3.00 per hour for the time spent in regulating the system. The mileage set at \$0.10 per mile would remain at \$200.00 and the other items of the budget would be adjusted according to a total budget of \$800.00. It was felt by the water users and Judge Erickson that the remaining balance should be used in setting the assessment and all of those in attendance agreed on an assessment of \$700.00.

With the business completed, Judge Erickson thanked all of those who were present for coming to the meeting with a special thanks to the State Engineer and his staff. The meeting adjourned at 10:30 a.m.

The following were in attendance at this meeting:

Judge Ferdinand Erickson, District Judge, 6th Judicial District Court
 Hubert C. Lambert, State Engineer of Utah
 Gerald W. Stoker, Area Engineer
 Vay Barney, Water User
 Paul Steed, Water User (Leo Wilson rights)
 Mr. & Mrs. McKay Bailey, Water User (Th. S. Spencer rights)
 William Hathaway, Water Commissioner
 Thurman Spencer, Water User
 Mr. and Mrs. Leo Wilson, Water Users

June 8, 1972

MEMORANDUM

TO: Donald C. Norseth, Distribution Engineer
Richard Paxton, Accountant

FROM: Gerald W. Stoker, Area Engineer

SUBJECT: Alvey Wash Distribution System

Budget:

Salary for commissioner based on \$3.00 per hour or increased \$150.00

Mileage at 10¢ per mile (no change) or \$200.00

Balance the budget to a total of \$800.00 and assess on \$700.00

Breakdown on Water Usage:

| <u>Water User</u> | <u>Acres Feet Allowed</u> | <u>Delivered</u> | <u>%</u> |
|--|---------------------------|------------------|----------|
| Vay Barney | 214.5 | 0 | 0 |
| Paul Steed (Helma Wilson rights) | 130.0 | 220.7 | 32.3 |
| McKay Bailey (J. C. Spencer rights) | 75.0 | 143.0 | 20.7 |
| Leo Wilson | 163.3 | 291.0 | 43.0 |
| Thurman Spencer | 81.9 | 34.0 | 5.0 |

Total allowable water delivered is 692.7, 734.7 or 94.3%