

1969

INDEX OF MINUTES

PROVO RIVER DISTRIBUTION SYSTEM

Annual Meeting - January 8, 1969

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MINUTES OF ANNUAL MEETING  
OF BOARD OF DIRECTORS

January 8, 1969

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 8, 1969, in Room 200 of the Utah County Court House, Provo, Utah.

Chairman Niels Andersen presided.

On roll call, the following Board members were present:

J. Edwin Ure	Group 1	Kamas Valley canals
Sherman A. Giles	"	2 Upper Provo, East Heber Valley
Floyd Bonner, Vice Chairman	"	3 Upper Provo, West Heber Valley
Glen A. Wright	"	4 Provo City canals
Stanley H. Roberts	"	5 East Provo canals
Niels Andersen, Chairman	"	6 Provo Bench canals
John W. Gillman	"	7 Provo Reservoir Water Users Co.
Jack M. Gardner, Sec.-Treas.	"	8 Provo River Water Users Assn.
Ernest Knight	"	9 Upper Provo individual rights

Also present were:

Hugh A. McKellar	Provo River Commissioner
Wallace R. Wayman	Provo River Commissioner (Retired)
V. Emil Hansen	Metropolitan Water District of Orem
Elmer J. Taylor	Utah Power & Light Company
B. Harold Mendenhall	Provo River Water Users Association
Howard J. Pearson	U.S. Bureau of Reclamation

CORRECTION AND ADOPTION OF MINUTES:

At the request of the Chairman, Secretary Gardner read the Minutes of the Annual Meeting held January 10, 1968; whereupon, Director Giles called attention to his discussion of the accuracy of the Midway bridge weir, wherein the Minutes state "that he had been as high as fifty percent 'out', compared with the U.S.G.S. records, but usually he was quite 'close'" and advised that this should read "that the weir has been as high as fifty percent 'out' in low water compared with the U.S.G.S. records, while his estimated flows were quite 'close'".

Secretary Gardner stated that this correction would be made accordingly in the official minute book. There being no further questions offered, the Minutes, as corrected, were adopted by all present voting "aye".

Chairman Andersen then asked that the Minutes of the Special Meeting, held with the State Engineer on January 11, 1968, be read and Secretary Gardner suggested that since the State Engineer had asked about the reading of the minutes of the last prior meeting at the meeting held January 11, 1968 and since the State Engineer should have an opportunity to make any corrections to these Minutes, that he was of the opinion that those Minutes should be read at the meeting that is to be held

on the following day with the State Engineer. This was generally agreed to by the Board and the reading of these Minutes was deferred.

#### ELECTION OF OFFICERS FOR 1969:

Chairman Andersen stated that the next order of business was to nominate and elect officers to serve during 1969; whereupon, Director Wright moved the adoption of the following resolution:

(84) RESOLVED That Niels Andersen, Floyd Bonner, and Jack Gardner be elected Chairman, Vice Chairman, and Secretary-Treasurer, respectively, all to serve the following one-year term of office. Motion was seconded by Director Knight and adopted with all present voting "aye".

The officers aforesaid thereupon assumed their duties.

#### 1968 FINANCIAL STATEMENT:

Chairman Andersen advised that the next order of business was to go over last year's Financial Statement and asked Secretary Gardner to present the statement. Secretary Gardner reviewed the statement, noting that the year's total expenditures amounted to \$ 14,679.63, while the Budget had been set at \$ 16,000.00. The total receipts were \$ 16,044.11, this difference bringing the balance in the Reserve Distribution Fund on deposit with the State Engineer, to \$ 7,163.22. It was further noted that the delinquent water assessment amounted to \$ 194.59.

There followed a discussion of the delinquent accounts, wherein proper notification and censorship of some rights was noted by Directors Giles, Knight, and Roberts. The Financial Statement was accepted unanimously.

#### NOMINATION FOR RECOMMENDATION OF COMMISSIONER:

Chairman Andersen then asked for nominations for commissioner of the Provo River to recommend for appointment by the State Engineer for one year, beginning in April of 1969. Thereupon, Director Wright moved adoption of the following resolution:

(85) RESOLVED That Hugh A. McKellar shall be and is hereby nominated for appointment by the State Engineer as the Provo River Commissioner, to serve for the yearly term, beginning April 1969. The motion was seconded by Director Ure and adopted unanimously.

#### NOMINATION OF DEPUTY COMMISSIONER:

Pursuant to policy, Chairman Andersen asked Mr. McKellar for his nomination for recommendation as Deputy Commissioner. Whereupon, Commissioner McKellar nominated Sherman A. Giles; thereupon, Director Knight moved adoption of the following resolution:

(86) RESOLVED That the nomination of Sherman A. Giles for appointment as Deputy Commissioner, to serve for the yearly term beginning April 1, 1969, be accepted.

Motion was seconded and adopted unanimously.

#### BUDGET AND ASSESSMENT - 1969:

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Chairman Andersen called for a discussion of the budget and assessment for the year 1969. Secretary Gardner stated that he had worked out a tentative budget with Commissioner McKellar and presented the tentative budget, item by item, noting that the total suggested budget would be \$ 15,150.00, as against \$ 16,000.00 for 1968. He further suggested that in view of the balance in the Reserve Fund of \$ 7,163.22, that the assessment could be dropped back to the prior assessment levied in 1967 of \$ 13,700.00, the difference to come from the Reserve Fund, which has been recommended by Mr. Reese to remain at about \$ 5,000.00. Also, that returning to this prior assessment figure would alleviate the burden on the accounting department of the State Engineer's office of refiguring the assessment ratio to each right in making the assessment. Director Gardner advised the Board that at a previous Special Meeting of June 6, 1967 prior to the time that Mr. McKellar became the new Commissioner, the new Commissioner's salary was set at \$ 5,700.00 a year at about ten percent below the salary being paid the Commissioner at that time of \$ 6,360.00 per year, with the provision that he would be advanced back to the \$ 6,360.00. Whereupon, Mr. Harold Mendenhall complimented Commissioner McKellar on his excellent performance as Commissioner for the past year, that his reports had been very precise and clear. Director Giles voiced his appreciation of having had association with Commissioner McKellar during the past season in the distribution of the water into the Provo Bench canals.

Chairman Andersen then called for a motion on the Commissioner's salary increase; whereupon, Director Ure moved adoption of the following resolution:

(87) RESOLVED That the Commissioner's salary be set at \$ 6,360.00 per year.

The motion was seconded by Director Wright and adopted unanimously.

The salary and mileage paid Deputy Commissioner Giles was then discussed at length. Director Gardner noted that there had been a five percent increase in the cost of living index and that he would recommend a five percent increase in the Deputy Commissioner's salary to off-set this loss in income.

Commissioner McKellar concurred and further noted that since much of the Deputy Commissioner's travel was off the highway driving, that he felt that the Deputy Commissioner's mileage should be increased to fifteen cents; whereupon, Director Wright moved adoption of the following resolution:

(88) RESOLVED That Deputy Commissioner Giles' travel expense be set at fifteen cents per mile and that his salary be raised from \$ 4,800.00 to \$ 5,040.00 per year.

The motion was seconded by Director Bonner and carried unanimously.

After due discussion Chairman Andersen asked for acceptance of the budget for 1969 in the amount of \$ 15,150.00. Whereupon, Director Gillman moved the adoption of the following resolution:

(89) RESOLVED That the recommended budget for 1969 be set at \$ 15,150.00, as itemized.

Motion was seconded by Director Giles and carried unanimously.

After a brief discussion of the establishing of the assessment for 1969 and it was recommended to be set at \$13,700.00, Director Ure moved adoption of the following resolution:

(90) RESOLVED That the recommended assessment for 1969 be \$ 13,700.00, the

difference in actual expenditure and the assessment to be drawn from the Reserve Fund, in trust with the State Engineer.

Motion was seconded by Director Gillman and carried unanimously.

#### CONTRACTURAL SERVICES COMPENSATION TO W. WAYMAN, RETIRED COMMISSIONER:

Chairman Andersen advised the Board of vouchers and requests for payment that has been presented to the State Engineer by past Commissioner Wayman, the voucher covering services for revising water schedules and checking weirs for one week in May of 1968. After due discussion, it was recommended that he should be paid only for the time he spent in respect to acquainting Commissioner McKellar with the diversions from Provo River, which Commissioner McKellar states to be about one day.

A letter was presented by Chairman Andersen, wherein Mr. Wayman discussed the Tanner Exchange Right and requested \$ 250.00 compensation for investigation into this matter and others relating to the Provo Bench canal. After due discussion, it was generally agreed to a payment of \$50.00 for the time spent with Commissioner McKellar as part of the voucher payment. However, any action was deferred until the meeting with the State Engineer to further discuss the matter with him.

#### DEPUTY COMMISSIONER'S REPORT:

Deputy Commissioner Giles reported that 1968 was a good water year, that the River was cut to eighty-six percent and to ninety-six percent July 16 to August 12. The rest of the year was at one hundred percent of river.

The Midway weir was rebuilt in about eight days in September and October at a cost of approximately \$ 600.00 by the Provo River Water Users Association and that the rebuilt weir was better than new and was very well constructed. He complimented the work done by the Association and by River Commissioner McKellar in getting the job completed.

#### COMMISSIONER'S REPORT:

Commissioner McKellar reported that he had not yet completed his report, but it would be completed in the near future, that the Provo Division delivered one hundred percent of river all year, that he appreciated the help that he had been given in his first year as Commissioner by Deputy Commissioner Giles, who handled the Upper River Division most efficiently, and the help given by Mr. Mandenhall, in getting acquainted with the distribution problem on the lower River and with the Deer Creek project.

#### MEETING WITH STATE ENGINEER:

Chairman Andersen called attention to the following letter, dated Dec. 30, 1968:

#### 'TO WATER USERS OF THE PROVO RIVER DISTRIBUTION SYSTEM:

Notice is hereby given that in compliance with Title 73, Chapter 5, Utah Code Annotated 1953, a meeting of water users of the Provo Distribution System and representatives of the State Engineers Office will be held Thursday, January 9, 1969, at 10:00 a.m. in the Utah County Courthouse, Provo, Utah, for the purpose of:

1. Hearing the financial report for 1968.
2. Hearing the 1968 commissioner's report.
3. Preparing a budget of salaries and other necessary expenses of the Provo River Distribution System.
4. Making recommendations to the State Engineer relative to the appointment of a water commissioner for the 1969 season.
5. Transacting such other business as may properly come before the meeting.

We hope that the water users or representatives will attend in order that they be properly represented.

Yours very truly,

SS Hubert C. Lambert  
State Engineer

P.S. The above letter was mailed on the above date to all names appearing on the attached letter."

Chairman Andersen requested all members of the Board to attend this meeting, in view of the importance of the system's operations.

There being no further business, Director Wright moved adjournment of the meeting. Meeting adjourned at 12:10 p.m.

Jack M. Gardner, Secretary

PROVO RIVER DISTRIBUTION SYSTEM

217 First Security Bank Building

Provo, Utah

April 17, 1969

Mr. Niels Andersen, Chairman  
Provo River Distribution System  
266 North State Street  
Orem, Utah

Dear Niels:

Inclosed herewith are the minutes of the Board of Directors' meetings of the Provo River Distribution Board, held January 8 and 9, 1969, for your review.

If you find any additions or corrections needed, please advise and I will revise the minutes accordingly.

Sincerely yours,

Jack M. Gardner, Secretary

JMG:fh  
Incls.

cc Mr. Hugh McKellar, Commissioner  
81 East Center  
Provo, Utah

Mr. Frank Reese, Business Manager  
Department of Natural Resources, Division of Water Rights  
442 State Capitol  
Salt Lake City, Utah

✓ Mr. Donald C. Korseth, Distribution Engineer  
Department of Natural Resources, Division of Water Rights  
442 State Capitol  
Salt Lake City, Utah

