

THOMAS D. BASMAJIAN
5357 Cottonwood Lane
Holladay, UT 84117
801-278-2468

December 7, 2012

Fred Lewis
3011 South Orchard Drive
Bountiful, UT 84010

RE: 2012 Minutes of the Annual Meeting

Enclosed, please find a copy of the Minutes of the Annual Meeting of the Water Users of the Lower Jordan River, held January 26, 2012.

Feel free to contact me at my home number, 801-278-2468, if you have any questions.

Sincerely,

Thomas D. Basmajian
Secretary

cc: Jarred Manning
Utah Division of Water Rights
PO Box 146300
Salt Lake City, UT 84114

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MINUTES OF THE ANNUAL MEETING
OF THE WATER USERS OF THE LOWER JORDAN RIVER

The annual meeting of the Water Users of the Lower Jordan River Distribution System and representatives of the Division of Water Rights was held Thursday, January 26, 2012, in a conference room of the Natural Resources Building, 1594 West North Temple, Salt Lake City, Utah. Present at the meeting were Lee Sim, Mike Silva, Teresa Wilhelmsen, Jared Manning, Logan Riley, John Briem and Ben Anderson, Utah Division of Water Rights; Fred Lewis, Lower Jordan Water Chairman; Lane Jensen, Lower Jordan Water Commissioner; John Larsen, Upper River Commissioner; Dick Gilbert and Patrick Kelly, Ambassador Duck Club; Rich Hansen and Jason Jonet, Farmington Bay WMA; Thomas Basmajian, Lower Jordan Water Secretary; Charles F. Gillmor, Gillmor Livestock Corp.; Joe Polidori, North Point Duck Club; Mike Freeman, US Geological Survey; Bryan White and Mike White, Burnham Duck Club; Bill Kennick and David Barnhisel, Pacificorp Energy; Mike Stangl, Rudy Duck Club; David O. Hinckley and Dalon Hinckley, S&H Farms / Cross E. Ranch; and Gary L. Hicks, Water User.

Fred Lewis served as the Chairman of the meeting; Thomas Basmajian served as Secretary.

The Minutes of the Annual Meeting held January 20, 2011, were read by Thomas Basmajian and which upon motion made to accept and duly seconded were unanimously approved.

Fred Lewis stated that per the approved motion at the previous annual meeting, the bank account set up specifically for legal actions was cancelled and the remaining funds in the account were sent to a general account for the use of water users of the Lower Jordan district system. He stated the full amount transferred to the general account was \$1,492.93.

The 2011 Annual Commissioner's Report of the Lower Jordan Water Distribution System was then distributed.

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The report of Commissioner Lane Jensen was given and reviewed. The Commissioner had previously discussed purchasing a flood gate control drill to complete work on the Goggin Drain. He stated he has been unable to find an appropriate drill to finish the work on the Goggin Drain. He agreed to continue looking for an appropriate drill. The Commissioner then discussed the existing bank erosion problems that need to be addressed with the county regarding the Goggin Drain, as well as a problem with the drain gate which is unable to fully close resulting in a loss of 15 – 20 CFS at all times.

It was discussed that it was the county's responsibility to fix the issues surrounding the drain. It was agreed that Mike Silva would forward the minutes of this meeting and a statement concerning the drain problems to Rich Judson at the county for discussion.

Next, a discussion was held about the shut-down of the water flow to the Jordan River in September due to an unidentified oil spill.

Jared Manning then announced Lee Sims will be retiring and Jared will be replacing him at the Division of Water Rights. Jared also reported the anticipated budget cuts discussed last year did not occur and the budget was complete.

Next, it was discussed that the new measuring device on the surplus canal is working well and producing better velocity flow data.

Mike Silva then presented the Lower Jordan River Distribution Engineer's Report. Rich Hansen asked about any early releases to water prior to the compromise of Utah Lake. John Larsen addressed and led a discussion regarding the new equipment that was potentially to be installed at Utah Lake during the year. It was reported the equipment had not been installed, but is still being considered. The equipment would allow water to release without having to incur the expense of a crane from a 3rd party servicer. John Larson reiterated he is required to release the water at compromise. John also reported there is money being put towards a pump that has been approved to be installed, but not before they will be required by law to release the water.

Mike Silva then presented the 2011 financial report which upon motion made to accept and duly seconded was unanimously approved.

After discussion of the 2011 budget the following 2012 budget and assessment was moved to accept, duly seconded and unanimously approved:

LOWER JORDAN RIVER DISTRIBUTION SYSTEM

2012 BUDGET EXPENDITURES

<u>Description of Budget Item</u>	<u>Amount Approved</u>
Salary – Water Commissioner	12,100.00
Social Security - Water Commissioner	926.00
Retirement - Water Commissioner	2,300.00
Insurance Premiums - Water Commissioner	138.00
Travel Expense - Water Commissioner	9,000.00
Annual Report	250.00
Secretarial Expense	1000.00
Committee Expense	0.00
Telephone Expense	500.00
Contractual Services	350.00
Miscellaneous Expense	4,000.00
State Engineer Assessment	2,340.00
TOTAL 2012 BUDGET	<u>32,904.00</u>

The 2012 assessments are to be in the amount of \$25,000.00, the assessments to be computed on the same basis as in the past, i.e., first computation of the Brighton North Point's share, the balance to be assessed one-half to the river users and one-half to the surplus canal users, in the proportion of rights claimed, with a minimum of five dollars, actual computations to be made by the Division of Water Rights.

In connection with the distribution of water for the coming year the following resolutions were duly motioned, seconded and unanimously approved:

RESOLVED: That in the event of low water this year, "low water" being defined as below 325 second feet of water owned by users below the diversion between the Jordan River and the Surplus Canal and

excluding water not owned by users below that diversion point, the water owned by users below the point of diversion between the Jordan River and the Surplus Canal is to be divided one-half to the river and its users and one-half to the Surplus Canal and its users for the water year 2011 without prejudice to any of the legal rights of the parties involved.

RESOLVED: If the foregoing allocation is not acceptable in operation then corrective action will be taken within twenty days after notice to the Water Commissioner. Any one of the following river users, New State, Inc., Farmington Bay WMA, Pacificorp Energy or any other aggrieved river user may request that this resolution be adjudicated in a court of law.

RESOLVED: That the Committee of the Lower Jordan Water Users Association be and it is hereby authorized and directed to take such steps as are necessary or appropriate to effectuate the foregoing resolutions.

BE IT FURTHER RESOLVED: That the foregoing three resolutions with applicable updates for each successive year shall be and remain in full force and effect for later water years until further legal resolution by the Lower Jordan Water Users Association.

It was the consensus of the body that a reference to the foregoing resolutions with applicable updates of the water years applicable should be included in the minutes of the annual meeting of the Association each year.

Upon motion duly made, seconded and unanimously carried, the following persons were named to act as members of the Lower Jordan Water Users Association Committee for the coming year and until their successors are elected or appointed:

Dick Gilbert
4071 Minuet Court
West Valley City, UT 84119

Secretary – Thomas D. Basmajian
5357 Cottonwood Lane
Holladay, UT 84117

Mike Stangl
90 E. 7200 S., #200
Midvale, UT 84047

Claudia Conder
Utah Power & Light Company
1407 West North Temple, Suite #110
Salt Lake City, UT 84116

David Hinckley
3500 North 2200 West

Salt Lake City, UT 84116

Chairman – Fred Lewis
3011 South Orchard Drive
Bountiful, UT 84010

Elliott Christensen
40 East South Temple, #300
Salt Lake City, UT 84111

Bryan White
2527 South Breeze Drive
Magna, UT 84044

Richard Hansen
Division of Wildlife Resources
2004 North 1400 West
Clinton, UT 84015

Upon motion made, duly seconded and unanimously approved, Mr. Lewis remained Chairman of the Committee; Mr. Basmajian remained Secretary of the Committee; and Rich Hansen was approved to be the Vice Chairman of the Committee.

Due to administrative issues surrounding transfer of Lane Jensen from Deputy Commissioner to full time Commissioner, Lane was terminated and re-hired. Due to this motion, Lane Jensen was hired as the Water Commissioner with a four year term of the Lower Jordan District. The Committee acknowledged Lane Jensen's service for the 2011 water year due to the water challenges that occurred, including high water flooding and no wash out, along with his ability to timely communicate with all parties and management throughout the year.

There being no further business the meeting was adjourned.

Secretary of the Meeting