

Associated Water Users of the  
Duchesne/Strawberry Rivers

PO Box 2  
Duchesne, Utah 84021

February 17, 2012

State of Utah  
Division of Water Rights  
Jared Manning  
1594 West North Temple, Suite 220  
PO Box 146300  
Salt Lake City, Utah 84114-6300

Dear Jared:

Please find enclosed, for your review, the unapproved minutes of The Joint River Committee meeting, dated March 8, 2011, the Duchesne/Strawberry Water Users Association (DSWUA) meeting held March 9, 2011 and the Duchesne/Strawberry Water Users Association Board of Directors meeting held March 9, 2011.

Reserve any questions or corrections on these minutes for The Joint River Committee meeting, scheduled for **March 6, 2012** be held at the Duchesne County Administrative Building, 734 N. Center, in Duchesne at 10:00 am. or for the DSWUA meeting to be held on the following day, **March 7, 2012** at the Duchesne County Administrative Building, 734 N. Center, in Duchesne at 10:00 am.

There are three (3) positions on the board that are up for election: Lee Moon representing the Lower Duchesne River Water Users, Farrell Farnsworth representing the Upper Duchesne River Water Users and Trent Potter representing the Strawberry River Water Users.

If you have any questions, please call at (435) 738-2241.

Sincerely,

Connie Mullins  
Secretary  
DSWUA

cc: Clinton Moon  
Lee Moon  
Moreen Henderson  
Art Taylor  
Farrell Farnsworth  
Trent Potter  
Dennis Jones  
Dale Thomas  
John Swasey  
Keith Denos

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WATER RIGHTS  
SALT LAKE

**THE JOINT RIVER COMMITTEE**  
**BOARD OF DIRECTORS**

**March 8, 2011**

**10:00 am**

Those in attendance: Lee Sim, Mike Silva, Trent Potter, Keith Hooper, Tom Bruton, Dex Winterton, Clinton Moon, Keith Denos, Lee Moon, Art Taylor, Andrew Dutson, Bob Leake, John Swasey, Dale Thomas, Karnel Murdock and Connie Mullins.

The meeting was brought to order by President Clinton Moon. Everyone introduced themselves and told who they were representing.

**MINUTES**

MOTION: Art Taylor made the motion that the minutes of the March 9, 2010 Joint River Committee be approved after amended. The changes included correct spelling of Karnel Murdock's name and a revision to the commissioner's report after John noted that some of his comments didn't make sense and so he corrected them as follows: [Most of the summer was spent installing a repeater on the system and fixing problem equipment on the lower Duchesne, Duchesne Diversion and Upper Duchesne systems. John noted concern that he is required to be out in the field more often which brings problems with access issues. He has found more diversions and water rights than he had previously been aware of. Also, the number of water classes such as Block 1, Block 2, Block 1B, fish flows, etc. are increasing his work load as well as permits to access Indian land are limited to irrigation season.] Trent Potter seconded the motion. Motion carried.

Comments: Clinton Moon asked for an update on the Antelope Draw Flumes which are over 60 years old. Discussion followed concerning needed repairs. Karnel noted that the flume needs to be replaced but because of cost issues, they are looking to make repairs for now and are looking for funds to help with those repairs.

Art Taylor commented on the Myton Townsite Dam where the Fish and Wildlife Division is looking to put a fish passage for endangered species. Art said he felt that the irrigators should not be held responsible if the endangered species move up stream and get into the canals and ditches. Discussion followed. Tom let everyone know that there will be a meeting to discuss current progress on this issue held on March 24, 2011 at 10:30 AM at Central Utah Water Conservancy District board room. If there are concerns contact Paul Abate with the Fish and Wildlife Division.

Karnel noted that tribal access permits are no longer year around. Permits will need to be renewed through a new process.

## COMMISSIONER'S REPORT

John Swasey said the most noteworthy event from last year was the interruption of the water flows to the Lower Duchesne due to the oil dumping in the Strawberry River. He discussed the importance of everyone involved knowing how the river operates. Hopefully this experience will help in future efforts working with multiple organizations. It was a good learning experience. Art noted the letters and summary from Mike Silva on the river spill that John included in his written report. Clinton Moon also thanked everyone involved with the clean up process. Discussion on how chain of command worked during the cleanup. John also noted that a couple of weeks ago the snow report was 104% on the Duchesne River and today it was 152% and we might want to prepare for higher water this spring. He also acknowledged Leo Brady for all his accomplishments with the water system and let everyone know that Leo's health is not good.

MOTION: Trent Potter made the motion that the committee approve the Commissioner's report. The motion was seconded by Keith Hooper. Motion carried.

## REPORT FROM DIVISION OF WATER RIGHTS

Lee Sim let everyone know of the passing of Larry Anderson who was a long time Division Director for the State Utah Department of Natural Resources.

Mike Silva said that the USGS readings on the Strawberry River are sometimes higher than what he is getting for readings. He is willing to come out and measure whenever needed. He noted that a gauging station is still being looked at. What would work better is if the USGS gauge could be updated/ fixed to read more accurate. Keith said that when the gauge reads higher than his calculations, he put the higher figure in for the exchange. Mike would like the measuring to be equitable for both sides. Mike Silva complimented John Swasey for his knowledge of his river system.

## 2010 BUDGET REVIEW

The 2010 receipts and expenditures were reviewed as follows:

BEGINNING BALANCE – January 1, 2010	<b>\$58,753.05</b>
RECEIPTS	
Regular Assessments:	\$112,902.57
Special Assessments:	0.00
Delinquent Penalties:	88.23
Previous Assessments and Penalties:	430.87
Transfers and Adjustments:	125.00
Annual Interest Earned:	373.45
System Reimbursements:	0.00
<b>TOTAL RECEIPTS</b>	<b>\$113,920.12</b>

EXPENDITURES	
Budgeted Expenditures:	\$110,701.59
Unbudgeted Expenditures:	630.70
Transfers and Adjustments:	0.00
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TOTAL EXPENDITURES	\$111,332.29
ENDING BALANCE for December 31, 2010	\$61,340.88

2010 Delinquent Water Assessments totaled \$95.49.

All delinquent assessments are for one year.

MOTION: Art Taylor moved that the 2010 financial report, as reported by Mike Silva be approved. The motion was seconded by Keith Denos. Motion carried.

### 2011 BUDGET PROPOSAL

Clinton Moon read the proposed budget expenditures for 2011. Clinton passed out the proposed budget that was discussed in an earlier meeting with Strawberry Water Users. John Swasey is asking for a salary increase. Discussion concerning the River Commissioners Salary commenced.

MOTION: Lee Moon made the motion to reduce the salary increase from \$64,000.00 that was being asked for to \$62,000.00, and increase the travel budget from the \$14,000.00 that was proposed to \$15,000.00. Motion seconded by Keith Denos. Motion carried.

The following changes were made:

Commissioners Salary will increase from \$54,600.00 to \$62,000.00. That will increase Social Security from \$4,140.00 to \$4,743.00 and Retirement from \$8,600.00 to \$10,920.00.

Travel Expense will increase from \$14,000.00 to \$15,000.00.

Office Expense will increase from \$2,500.00 to \$3,600.00.

Telephone Expense will increase from \$2,150.00 to \$2,500.00

Miscellaneous expense will increase from \$24.00 to \$151.00.

The 2011 Budget Proposal is as follows:

BALANCE of Trust Funds, 12-31-2010:	\$58,753.05
RECEIPTS:	\$105,467.69
Regular Assessments	
Plus previous assessments and penalties	
BUDGET:	
Commissioner Salary	\$62,000.00

Social Security	4,743.00
Retirement	10,920.00
Insurance	10,500.00
Travel	15,000.00
Secretary Expense	500.00
Committee Expense	1,500.00
Office Expense	3,600.00
Supplies and Equipment	5,000.00
Telephone Expense	2,500.00
Miscellaneous Expense	151.00
State Engineer Assessment	7,786.00
Contractual Services	2,000.00
<b>TOTAL BUDGET:</b>	<b>\$126,200.00</b>

MOTION: Trent Potter made the motion to approve the 2011 proposed budget as presented. The motion was seconded by Lee Moon. Motion carried

**ASSESSMENTS:**

Clinton Moon asked the State Engineer to consider changing the way the assessments are set from set rate per acre to number of acre feet based on water rights. Discussion followed. Lee Sim reminded the committee that the responsibility for setting the assessment falls to the State. He proposed that the State be given time to review records to understand water rights and look into request.

MOTION REQUEST: Trent Potter made a request for the State Engineer to look into changing the assessments from a set rate to per water right acre feet and come back with a recommendation to this committee. Lee Moon seconded the motion. Motion carried.

It was decided that a meeting would be scheduled for Monday, April 18<sup>th</sup> at 1:00 pm at Central Utah Water Conservancy District to further discuss the findings of the State Engineer.

MOTION: Lee Moon made the motion to set the assessments at \$113,500.00. Motion seconded by Art Taylor. Motion carried.

**OTHER BUSINESS:**

Lee Sim explained that the Attorney General would like to make the Distribution Order a permanent agreement instead of having to approve it each year. The matter will be discussed and a decision made during tomorrow's meeting.

Meeting adjourned at 12:30 pm.

**DUCHESNE AND STRWBERRY RIVERS WATER ASSOCIATION**  
**ANNUAL WATER USER AND ANNUAL MEETING WITH**  
**STATE ENGINEER**  
**March 9, 2011**  
**10:15 AM**

Those in attendance:

**NAME**

Jay Abbott  
Ryan Jones  
Moreen Henderson  
Lee Moon  
Trent Potter  
Clinton Moon  
Dennis Jones  
Jerry Wilson  
Andrew Dutson  
Keith Hooper  
Tom Bruton  
Debbie Vanoy  
Karnel Murdock  
Dale Thomas  
Kathy Robinson  
Nathan Robinson  
Jeff Budge  
Art Taylor  
Lee Sim  
Bob Leake  
Mike Silva  
Connie Mullins  
John Swasey

**REPRESENTING**

Duchesne/Strawberry  
JRRT Enterprises  
Uintah Basin Irrigation Company  
Rocky Point  
Duchesne/Strawberry  
Duchesne/Strawberry  
Farm Creek Irrigation  
Rocky Point  
Division of Water Rights  
CUWCD  
CUWCD  
CUWCD  
BIA  
BIA  
Fruitland  
Fruitland  
Provo River Water Users Assoc.  
Duchesne/Strawberry  
Division of Water Rights  
Division of Water Rights  
Division of Water Rights  
Duchesne/Strawberry  
River Commissioner

President Clinton Moon called the meeting to order and welcomed everyone.

**MINUTES**

The minutes of the March 10, 2010 Duchesne and Strawberry Rivers Water Users Association (DSWUA) were reviewed by Clinton Moon.

MOTION: Lee Moon made the motion to approve the minutes of the March 10, 2010 meeting as written. There were no corrections. The motion was seconded by Jerry Wilson. Motion carried.

**COMMISSIONER'S REPORT**

John Swasey stated total water used for 2010 was 386,260 AF compared with 401,976 in 2009 for 3.9% less water used. Break down for water use is as follows:

Block 1 and 1B	12,541 AF
Fish Water	<u>3,624 AF</u>
Total	16,165 AF

John also gave example of an unlawful interference of water flows/diversions. He reminded everyone that it is considered a criminal act for anyone interfering with water flows. He showed how to access the project water report on the web and how it works. Go to: [waterrights.utah.gov](http://waterrights.utah.gov) –flow records - Distribution Systems – Real time operations – Duchesne River- Duchesne/Strawberry Regulation.

MOTION: Moreen Henderson made the motion to approve John’s report for the 2010 irrigation season. The motion was seconded by Jerry Wilson. Motion carried.

**DIVISION OF WATER RIGHTS REPORT**

Lee Sim showed a power point presentation on the State website on tracking Water Right transfers. It is a new program and still being updated but is available to view.

**2010 BUDGET REVIEW**

The 2010 receipts and expenditures were reviewed by Mike Silva, as follows:

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2010 Delinquent Water Assessments totaled \$95.45.

All delinquent assessments are for one year.

MOTION: Lee Moon moved that the 2010 financial report, as reported by Mike Silva be approved. The motion was seconded by Trent Potter. Motion carried.

## **2011 BUDGET PROPOSAL**

The 2011 Budget Proposal is as follows:

BALANCE of Trust Funds, 12-31-2010:	\$61,340.88
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Telephone Expense	2,500.00
Miscellaneous Expense	151.00
State Engineer Assessment	7,786.00
Contractual Services	2,000.00
TOTAL BUDGET:	\$126,200.00

Comments: Clinton Moon explained the proposed budget changes including the salary increase for the Commissioner.

MOTION: Lee Moon moved to accept the 2011 proposed budget. The motion was seconded by Dennis Jones. Motion carried.

### **DISTRIBUTION SYSTEM ASSESSMENTS:**

It was proposed that the distribution system assessments stay the same as last year to total \$113,500.00.

MOTION: The motion was made by Trent Potter to keep the assessments the same as last year and use the reserve to make up the difference. Motion seconded by Art Taylor. Motion carried.

### **BOARD MEMBER ELECTION**

There are two positions on the board that are up for election, Dennis Jones, representing the Upper Duchesne River Water Users and Lance Henderson representing the Lower Duchesne River Water Users.

Clinton asked for nominations for the Upper Duchesne River Water Users. Dennis Jones was nominated by Lee Moon. Nomination seconded by Art Taylor.

MOTION: Lee Moon made motion to suspend rules and appoint Dennis Jones by acclamation. Motion seconded by Trent Potter. Motion carried.

Nominations for Lower Duchesne River Water Users: Moreen Henderson was nominated by Art Taylor and seconded by Trent Potter.

MOTION: Art Taylor made the motion to suspend rules and appoint Moreen Henderson by acclamation. Motion seconded by Trent Potter. Motion carried.

### **OPEN DISCUSSION/QUESTIONS**

### **BOARD PRESIDENT CLOSING REMARKS**

Clinton Moon thanked those in attendance. Talked about the Oil spill/dump being a learning experience and thanked the State for the help they give to our river system. John suggested everyone prepare for high water and possible flooding this spring. Keith Hooper indicated that Starvation releases are much higher than normal for this time of year in preparation for the high run off. Water sheds are all high indicating probable flooding problems.

Meeting adjourned at 11:00 am.

**DUCHESNE AND STRAWBERRY RIVERS WATER USERS ASSOCIATION**  
**BOARD OF DIRECTORS**  
**March 9, 2011**  
**11:20 am**

Those in attendance: Trent Potter, Moreen Henderson, Dennis Jones, Clinton Moon, Art Taylor, Lee Moon and Connie Mullins.

**Board Member Election**

Up for election for the board are the positions of President, Vice President and Secretary.

MOTION: Lee Moon made a motion for nominations for positions to remain the same. Art Taylor seconded the motion. Motion carried.

Positions are as follows: President: Clinton Moon  
Vice President: Trent Potter  
Secretary: Connie Mullins

Meeting adjourned at 11:25 am.