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5357 Cottonwood Lane  
Holladay, UT 84117  
801-278-2468

November 6, 2013

Fred Lewis  
3011 South Orchard Drive  
Bountiful, UT 84010

RE: 2013 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 24, 2013.

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 24, 2013, in a conference room of the Natural Resources Building, 1594 West North Temple, Salt Lake City, Utah. Present at the meeting were Mike Silva, Teresa Wilhelmsen, Jared Manning, Eric Anderson, Ben Anderson, and Cheryl Heying, Utah Division of Water Rights; Fred Lewis, Lower Jordan Water Chairman; Lane Jensen, Lower Jordan Water Commissioner; John Larsen, Upper River Commissioner; Lee Sim, Consultant for North Point Duck Club; Dick Gilbert, Fowl Play Duck Club; Patrick Kelly, Ambassador Duck Club; Rich Hansen, Farmington Bay WMA; Beau Clements, New State Duck Club; Steve Gerner, US Geological Survey; Bryan White, Burnham Duck Club; Mike Stangl, Rudy Duck Club; Charles Gillmor, Gillmore Livestock Corp.; Van F. King, Kennecott – Rio Tinto; Rich Judson, Salt Lake County Flood Control; and David O. Hinckley, Water User.

Fred Lewis served as the Chairman of the meeting; Beau Clements served as acting Secretary on behalf of Thomas D. Basmajian.

The Minutes of the Annual Meeting held January 26, 2012, were read by Beau Clements, and which upon motion made to accept and duly seconded, were unanimously approved with the following corrections: (1) Jared Manning announced that Lee Sims was retired, and Jared was replacing him at the Division of Water Rights. (2) In the event of low water, the water owned by users below the point of diversion between 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 2012 without prejudice to any of the legal rights of the parties involved.

The 2012 Annual Commissioner's Report of the Lower Jordan Water Distribution System was then distributed.

The report of Commissioner Lane Jensen was given and reviewed.

The Commissioner reported the Goggin Drain repairs had not been addressed, resulting in the continual loss of water. Due to time constraints, work on this project will not progress this year, and will need to be reviewed next year.

Next, Jared Manning led a discussion about the change in the water application filing period. He also spoke about House Bill 68, in regard to water rights preservation.

Next, it was discussed that Lane Jensen's employee offered health care plan meets compliance standards in accordance to the Affordable Care Act.

Mike Silva then presented the Lower Jordan River Distribution Engineer's Report. It was reported that the head gate drill has not been acquired for the Goggin Drain. Mike Silva also reported that Lane Jensen's compensation was reviewed and it was decided that his compensation will remain unchanged for the next year. After discussion, Mike Silva agreed he would continue to pursue delinquent water assessment accounts throughout the year.

Next, Rich Judson reported there may be funding from the county for the Goggin Drain, but the funding will not likely occur during the current year. He also reported there are encroachment issues surrounding the Surplus Canal that need to be addressed.

Mike Silva then presented the 2012 financial report which upon motion made to accept and duly seconded was unanimously approved.

After discussion of the 2012 budget the following 2013 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	3,000.00
Insurance Premiums - Water Commissioner	138.00
Travel Expense - Water Commissioner	9,000.00
Annual Report	150.00
Secretarial Expense	1,000.00
Committee Expense	0.00
Telephone Expense	500.00
Contractual Services	1,000.00
Miscellaneous Expense	3,000.00
State Engineer Assessment	2,340.00
<b>TOTAL 2013 BUDGET</b>	<b><u>33,154.00</u></b>

The 2013 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 2013 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:

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

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

Dick Gilbert  
4071 Minuet Court  
West Valley City, UT 84119

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

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

Bryan White  
2527 South Breeze Drive  
Magna, UT 84044

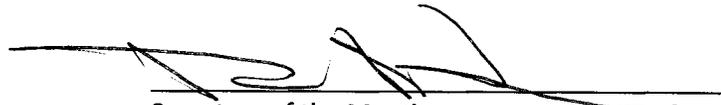
Richard Hansen  
Division of Wildlife Resources  
2004 North 1400 West  
Clinton, UT 84015

Patrick Kelly  
717 S. McClelland  
Salt Lake City, UT 84102

Van F. King  
4700 Daybreak Parkway  
South Jordan, UT 84095

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 remained the Vice Chairman of the Committee.

There being no further business the meeting was adjourned.

  
Secretary of the Meeting