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State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

MICHAEL R. STYLER KENT L. JONES
Executive Director *State Engineer/Division Director*

January 6, 2014

Cottonwood Creek Distribution System Committee

Craig Johansen, Chairman

Clyde Magnuson – Cottonwood Creek Consolidated Irrigation Company

Dixon Huntington - Cottonwood Creek Consolidated Irrigation Company

Duane Gilbert – Lower Water Users

Hal Johnson – Upper Water Users

Jacob Sharp – Castle Valley Special Services District

Jay Mark Humphrey – US Bureau of Reclamation / Emery Water Conservancy District

Kyle Singleton – Industrial Users

Re: Draft rules for the distribution system committee

Gentlemen:

Along with administrative rules in section R655-15 of the Utah Administrative Code, the enclosed draft rules are intended to document the purpose, make-up and operation of the Cottonwood Creek Distribution System Committee. I believe it will be helpful to have committee operations documented for reference and consistency.

Let's plan to hear everyone's input, discuss and finalize rules for the Cottonwood Creek Distribution System Committee during the upcoming Annual Meeting. The State Engineer's office certainly appreciates and thanks each of the committee members for their time and effort.

Regards,

Sue Odekirk, P.E.
Cottonwood Creek Distribution System Engineer

CC: Marc Stilson, Southeast Regional Engineer

Cottonwood Creek Distribution System Committee

Standing Rules

I. Purpose

- (1) These rules outline the operating policies and procedures of the Cottonwood Creek Distribution System Committee ("Committee") which operates in accordance with Utah Administrative Rule R655-15.

II. Committee

- (1) In accordance with R655-15-9(2)(b), the decisions and recommendations of the Committee do not need ratification by the water users of the Distribution System.
- (2) The Committee is comprised of seven* members representing the following irrigation companies or groups of water users:
 - (a) Cottonwood Creek Consolidated Irrigation Company
 - (i) The Cottonwood Creek Consolidated Irrigation Company representative* shall be appointed by the Cottonwood Creek Consolidated Irrigation Company in accordance with R655-15-9(4)(b).
 - (b) Lower Water Users
 - (i) The Lower Water Users representative shall be selected annually by majority vote of the Lower Water Users at the Annual Distribution Meeting in accordance with R655-15-9(4)(a).
 - (c) Castle Valley Special Services District
 - (i) The Castle Valley Special Services District representative shall be appointed by the Castle Valley Special Services District in accordance with R655-15-9(4)(b).
 - (d) Upper Water Users
 - (i) The Upper Water Users representative shall be selected annually by majority vote of the Upper Water Users at the Annual Distribution Meeting in accordance with R655-15-9(4)(a).
 - (e) Industrial Water Users
 - (i) The Industrial Water Users representative shall be selected annually by majority vote of the Industrial Water Users at the Annual Distribution Meeting in accordance with R655-15-9(4)(a).
 - (f) US Bureau of Reclamation / Emery Water Conservancy District
 - (i) The US Bureau of Reclamation / Emery Water Conservancy District representative shall be appointed by the US Bureau of Reclamation / Emery Water Conservancy District in accordance with R655-15-9(4)(b).
 - (g) Upper and Lower Water Users**
 - (i) The Upper and Lower Water Users representative shall be selected annually by majority vote of the Upper and Lower Water Users at the Annual Distribution Meeting in accordance with R655-15-9(4)(a).

**R655-15-9(5) states: Representation on the Committee shall be limited to one Committee member from each: group acting cooperatively according to a voluntary agreement; water company; municipality; special district; state or federal agency; voting block; or other grouping of water users according to geography or type of water right.*

To operate the Committee in accordance with the administrative rules for Distribution System Committees we should have one, rather than two duly appointed representatives of CCCIC.

***Users such as Johansen Herefords holding water rights in the upper and lower reaches of Cottonwood Creek may be considered a "Voting Block" who share a common interest within a Distribution System because of the nature of their water rights, the geographic location of their water use, or any other element of the water rights or water usage. [R655-15-4(o)]*

(3) The Committee Chair and Vice-Chair shall be selected annually at the Annual Distribution Meeting by majority vote of the Committee.

III. Modifications

(1) Any modification or addition to these rules requires a majority vote of the Committee and is subject to approval of the State Engineer.