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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Water Rights

KENT L. JONES
State Engineer/Division Director

October 7, 2014

Merlin Esplin
71 North Center Street
Orderville, UT 84775

Dear Merlin,

Jeff Medlin is resigning as water commissioner at the end of this year and we need to go through the hire process and have a committee interview, much like we did when we hired Jeff a few years back. Pertinent documents related to this are attached. I will handle getting a job posted in the Kanab paper for the position.

I was reviewing the meeting minutes (recording) for the East Fork Virgin River committee, since we decided not to change things so: I have Barry Ford, Dellas Sorenseon, John Reese and Merlin Esplin on the committee. I had heard that Barry sold out, not sure if this is true or not. If so I would suggest that we get Warren Foote in place to represent the Ranches.

I sent an email to John Reese, on this topic and asking that he keep a copy of the position description on hand at the bank for review by any of the applicants and also do a posting on the wall at the entrance.

We are interested in anyone that you know of, or can recommend for the job, have them contact me with any questions and forward a resume and letter of interest. I am proposing that the deadline is Nov 15th for responses from interested candidates and we do the interviews at the bank sometime after that, in early December.

I hope we are able to have Jeff and Clarence "on Contract" for fill in and training of the new Water commissioner, and I will be down to help with that once the season starts up.

It would be handy if you can provide me with your email to: MikeSilva@utah.gov, this will make communication easier as we go through this process. If you need anything else in the meantime please contact me. I can be reached at (801) 538-7430.

Sincerely,

Mike Silva

Distribution Engineer

cc: Southwestern Regional office w/o Encl.
Enclosures: WC Hiring Package



SUMMARY OF ADMINISTRATIVE RULES PERTINENT TO HIRING WATER COMMISSIONERS

Selection Process

Public notice of the Commissioner position shall be advertised in a local newspaper.

Description of the qualifications, duties, and compensation

Published in a manner and for a duration determined by the State Engineer as reasonable and sufficient.

Application shall be made in writing to the Committee Chair.

The application must include a summary of the applicant's qualifications and experience.

The interview panel shall consist of the Committee and the State Engineer.

The Committee shall recommend the candidate to the State Engineer.

The State Engineer may then appoint the recommended applicant as Commissioner.

THE EAST FORK VIRGIN RIVER DISTRIBUTION SYSTEM is accepting applications for a River Commissioner. Must have a minimum of a High School Diploma. Knowledge and experience in the following areas are preferred: irrigation practices; water control, measurement and calculations; and the local area. Training will be provided on the specific tasks of the position. The work is part time and seasonal, typically April 1st through November 1st. Starting pay: \$2,000 to \$4,000 per year, depending on experience. Position typically requires about 4 hours per week, mainly field activities, hours are flexible. Field activity is from Long Valley Junction (Todd's) to Mt Carmel Junction. Must provide own vehicle, however, mileage reimbursement is provided. Interested parties must submit a resume with qualifications by November 15th 2014 to "River Commissioner", c/o State Bank of Southern Utah, Orderville Branch, 55 E. Main, Orderville UT 84758 Phone: (435) 648-2216, FAX:(435) 648-2034 UT 84770-2831. A Job Description is available at the bank.

Water Commissioner Qualifications East Fork Virgin River Distribution System

- a. Education and Experience: Commensurate with the level of complexity and difficulty involved in regulating the distribution system.
- b. Have demonstrated knowledge of:
 - i. Irrigation practices and technologies.
 - ii. The local area and the water users involved in the Distribution System.
 - iii. The use and maintenance of water control and measurement equipment and devices.
 - iv. Water measurement units, calculations and conversions.
 - v. Maps, standard land description terminology, units of measure and conversions.
- c. Have a demonstrated ability to:
 - i. Work cooperatively with people to find appropriate solutions to challenges and /or resolve disputes.
 - ii. Communicate effectively verbally and in writing.
- d. Have the ability and willingness to learn:
 - i. Principles and terminology of Utah water rights law.
 - ii. Technology necessary for the effective regulation, distribution, measurement and reporting of water use in the Distribution System.
- e. Possess a valid Utah Drivers license.
- f. Be physically able to walk over uneven surfaces and rough terrain
- g. Be available at all times necessary throughout the distribution season to fulfill the duties of Water Commissioner.
- h. Be less than 75 years of age.
- i. Have no overarching conflict of interest that would interfere with the distribution water according to water rights.

East Fork Virgin River Distribution System

River Commissioner Job Description

GENERAL DUTIES

Performs technical and analytical work in regulating and distributing water. This includes monitoring, scheduling and data collection of water usage within the East Fork Virgin River Distribution System. Assures all water distribution is in agreement with applicable water rights, and State Engineer distribution orders. This is an appointed position and supervised by the Utah Sate Engineer.

1. MINIMUM QUALIFICATIONS:

- a. Education:
 - i. High School Diploma.

- b. Have demonstrated knowledge of:
 - i. Irrigation practices and technologies.
 - ii. The use and maintenance of water control and measurement equipment and devices.
 - iii. Water measurement units, calculations and conversions.

- c. Have a demonstrated ability to:
 - i. Work cooperatively with people to find appropriate solutions to challenges and /or resolve disputes.
 - ii. Communicate effectively verbally and in writing.

- d. Have the ability and willingness to learn:
 - i. Principles and terminology of Utah water rights law.
 - ii. Technology necessary for the effective regulation, distribution, measurement and reporting of water use in the Distribution System.



2. **SPECIAL QUALIFICATIONS:**

- a. Possess a valid Utah Drivers license.
- b. Be physically able to walk over uneven surfaces and rough terrain and lift objects weighing 50 pounds.
- c. Be available at all times necessary to fulfill the duties of River Commissioner.
- d. Be less than 75 years of age (according to Utah Division of Water Rights Administrative Rules).

3. **TERM OF EMPLOYMENT:**

- a. The River Commissioner is appointed for a term of four years in accordance with Subsection 73-5-1(1)(a) Utah Code Annotated and subject to an annual performance review by the distribution system committee and the Utah State Engineer.
- b. A river commissioner may serve successive terms without limit (up to age 75) at the discretion of the State Engineer and the Upper San Pitch River Distribution System, Board of Directors.

EXAMPLE OF DUTIES

The River Commissioner regulates and distributes water and consults with the State Engineer and Distribution Boards to exchange information and receive direction. The River Commissioner assures all water distribution is in agreement with applicable water rights, and State Engineer distribution orders.

The River Commissioner measures and makes records of the measurements of the water delivered to each Distribution Account and any flows or volumes of water and reservoir water levels necessary for the proper regulation of water distribution in the Distribution System and any other flows or volumes of water and reservoir water levels as directed by the State Engineer.

The River Commissioner regularly inspects Distribution System facilities, including water measuring devices, head gates, and other water control structures, to ensure they are operating properly and accurately and are adequately maintained.

The River Commissioner performs or arranges for the performance of needed maintenance work.

If inadequacies are identified in the Distribution System facilities, which are outside the scope of the River Commissioner's designated duties, the River Commissioner notifies the responsible water user, the Distribution Committees Chairs and the State Engineer.



The River Commissioner makes the effort necessary to become proficient in the use and application of the new technology and engineering tools to improve the efficiency of water distribution.

The River Commissioner maintains records and makes a written Distribution System Annual Report that is prepared and delivered each year to the State Engineer and the Distribution System Committee and local water users.

The River Commissioner provides the State Engineer an accounting of the water delivered to each water user as required for the calculation of Distribution Assessments.

The River Commissioner may adjust or close and lock a head gate and/or control structure to prevent changes in his control settings or direct the same.

The River Commissioner assists the State Engineer as necessary in any Division enforcement proceeding related to the Distribution System.

The River Commissioner completes and submits all necessary forms provided by the State Engineer for documentation of the expenses of the Distribution System.

The River Commissioner regularly attends distribution system meetings held in February or March each year.

