



GARY R. HERBERT  
*Governor*  
SPENCER J. COX  
*Lieutenant Governor*

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

### Division of Water Rights

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

March 19, 2015

Re: Cottonwood Creek Distribution System 2015 Assessment

Dear Water User:

You will see from the enclosed statement that no money is being assessed for the 2015 irrigation season.

At the annual meeting of the Distribution System the fact that there is some duplication of effort between the Water commissioner and the CCCIC water masters was discussed. Also some of the independent diversion points on the river are being consolidated into the irrigation company.

As Commissioner Huntington resigned his appointment due to personal and work commitments, it was proposed by the Cottonwood Creek Consolidated Irrigation Company that the river might be managed adequately and all remaining independent water right points of diversion be ensured delivery of their water without the costs associated with appointment of a new river commissioner. After some discussion, a motion to try self-regulation of the river system for this year was passed by the Distribution System committee. The committee felt that without the expenses of a river commissioner there would not be a need for a budget or assessment this year.

The Division supports the committee's proposal that self-regulation of the river system on a trial basis be observed for at least one year. As this is a trial and not a permanent change, the distribution system committee will remain in place, funds remaining in the trust account will continue to accrue interest throughout the year and the annual meeting will take place as usual in February 2016.

With good communication between water users on the system and a spirit of cooperation among the water users resulting in all authorized water diversions being served adequately and in accordance with the water rights, and good individual record keeping among the water users themselves, the Division agrees a river commissioner may not be necessary. However, the Division wishes to clarify

(1) The irrigation company's water masters have no authority over independent water right holders but may of course assist in regulating their diversions on a cooperative and voluntary basis.

Page 2

March 19, 2015

Subject: Cottonwood Creek Distribution System 2015 Assessment

(2) If the water users are not able to work together and the Division frequently travels from Price to regulate diversions on the river, the State Engineer will mandate appointment of a river commissioner. In such an event, expenses related to the duties and function of the river commissioner will be assessed to the water users in the same manner as past years.

Should you have further questions or concerns the Distribution System Committee representatives are as follows:

Craig Johansen  
Clyde Magnuson  
Karl Justesen  
Kyle Singleton  
Hal Johnson  
Duane Gilbert  
Jacob Sharp  
Jay Humphrey

Chairman, Upper Joes Valley Users  
CCCIC  
CCCIC  
Industrial Users  
Lower Joes Valley Users  
Lower Cottonwood Creek Users  
Municipal Users  
Emery Water Conservancy District

Also please feel free to contact me by phone at 801-538-7431 or by e-mail at [SusanOdekirk@utah.gov](mailto:SusanOdekirk@utah.gov).

Regards,



Sue Odekirk, P.E.  
Cottonwood Creek Distribution Engineer