

A G E N D A

EXECUTIVE WATER TASK FORCE

August 25, 2009, 1:00 p.m.
Room 2000, Natural Resources Complex

- I. Welcome and Introductions - Mike Styler
- II. Canal Safety Subcommittee Report - Sterling Brown
- III. Mini-adjudication Statute, 73-4-24 - Ward Wagstaff
- IV. Lost Water Certificates - John Mabey
- V. Shareholder Change Application, 73-3-3.5 - Representative Patrick Painter
- VI. Recharge Recovery Applications to Store Water Underground - All
- VII. Water Storage Facilities by Public Water Entities - All
- VIII. Next Meetings - September 15, 10:00 a.m., room 2000 and September 29, 1:00 p.m., room 2000

EXECUTIVE WATER TASK FORCE BULLETS

August 25, 2009, 1:00 p.m.
Room 2000, Natural Resources Complex

Task Force Members:

Mike Styler, Department of Natural Resources
Sterling Brown, Utah Farm Bureau
Craig Johansen, Emery Water Conservancy District
Warren Peterson, Farmland Reserve, Inc.
Dallin Jensen, Parsons, Behle & Latimer
Scott Ruppe, Uintah Water Conservancy District
Ed Bowler, Washington County Water Conservancy District
Tage Flint, Weber Basin Water Conservancy
Voneen Jorgensen, Bear River Water Conservancy District
Mark Stratford, League of Cities and Towns
Merril Bingham, Provo City Public Works/Water Resources

Ex-Officios:

Emily Brown, Legislative Research and General Counsel
Kent Jones, Division of Water Rights
Boyd Clayton, Division of Water Rights
Norm Johnson, Attorney General's Office
Mike Quealy, Attorney General's Office
Dennis Strong, Division of Water Resources

Guests:

Gordon Younker, Utah Association of Conservation Districts
Mike Kohler, Wasatch County/Midway Irrigation Company
Jon Clyde, Clyde, Snow and Sessions
Ward Wagstaff, Attorney General's Office
Paul Ashton, White City Water Improvement District
Todd Adams, Division of Water Resources
Grant S. Cooper, LDS Church
Terel H. Grimley, Ogden River Water Users Association
Dan Davidson, Bear River Canal Company
Gawain Snow, Uintah Water Conservancy District
Chris Finlinson, Central Utah Water Conservancy District
David Hartvigsen, Smith Hartvigsen
The Honorable Patrick Painter
Richard Bay, Jordan Valley Water Conservancy District
Alan Packard, Jordan Valley Water Conservancy District
Jodi Hoffman, Utah League of Cities and Towns
Jonathon Jones, US Bureau of Reclamation

Guests: - continued

Bob Fotheringham, Cache County
Fred Finlinson, Water Coalition
Rusty Vetter, Salt Lake City
John Mabey, Mabey, Wright & James
Carly Burton, Utah Water Users Association
Stan Roberts

I. Welcome and Introductions

- * Mike Styler welcomed the group and asked everyone to introduce themselves. He turned the time over the Sterling.

II. Canal Safety Subcommittee Report

- * Sterling Brown handed out copies of the “Canal Subcommittee Report.” He went through the report and asked for any questions or comments. Carly Burton reminded the team that this is just the beginning for this issue. The general terms needs to be defined.

DISCUSSION

Statutory changes will need to be made. Did the subcommittee discuss standards and how they will need to be set? Sterling commented that standards were discussed, and they would need to be consistent. Also discussed: assessments will need to be done - work among agencies in order to get funding - Division of Water Resources was chosen to hold records in a data base - they were chosen because they offer loans to water companies to build and maintain water facilities - it was noted by Dennis Strong that the division currently is not a regulatory authority but the Division of Water Rights has that ability within their division - Risk Management pool - agency to be responsible - government planning - funding issues - insurance for liability is too expensive, need solution to lower costs - this is a shared responsibility.

- * Mike Styler thanked the subcommittee for their work. He asked the subcommittee to continue meeting to expand on the issues discussed today. Each task force member should look at each item on the handout and be prepared to respond at the next canal safety subcommittee report so that we can solve each item one at a time. Maybe the records can be housed within the Utah Association of Conservation Districts. Gordon Younker stated that currently the association is looking at this issue and is interested in how they can be involved. This will be placed on the September 29 agenda.

BREAK

III. Mini-adjudication Statute, 73-4-24

- * Ward Wagstaff handed out the new language. He pointed out section (1) that expedites the hearing of an objection and section (2) balances the situation in a determination. **Dallin Jensen made a motion to access and send to Emily Brown. The sponsor will be Representative Patrick Painter who will open the bill file for now, but another sponsor may be chosen. The motion was seconded by Scott Ruppe. The task force voted unanimously to accept the motion.**
- * Dallin Jensen asked the task force if they felt that under section 73-4-11, relative to water user claim protests, if the verification requirement can be deleted. Ward Wagstaff concurred that it does not need to be verified. **Dallin made the motion to accept this and delete the verification requirement as to protests to proposed determinations. DISCUSSION. Voneen Jorgensen seconded the motion. The task force passed the motion unanimously.**

IV. Lost Water Certificates

- * John Mabey handed out a document on his research into lost certificates. He went through the document with the task force. He then asked if the task force wanted to pursue? DISCUSSION. There was unanimous support that it be pursued. Fred Finlinson stated he would add this issue to the agenda for the next Water Coalition meeting and will e-mail the results to Betty Barela.

V. Shareholder Change Application, 73-3-3.5

- * Representative Pat Painter handed out a copy of the document. He went through his suggested changes. Any questions? DISCUSSION. Representative Painter stated he would get with Steve Clyde to work some more on the language and bring back to the task force. If you've got any suggestions, get them to Steve. It will be put on the agenda for the September 15 meeting.

VI. Recharge Recovery Applications to Store Water Underground

- * Mike Styler asked Dallin Jensen to rough out proposed legislation. Dallin Jensen stated a draft will be available by the next meeting. It will be put on the agenda for the September 15 meeting.

VII. Water Storage Facilities by Public Water Entities

- * Mike Styler stated this would be put on the September 15 agenda for discussion.

Mike also asked the task force to send comments to Steve Clyde on 73-3-21 and it will be put on the September 29 agenda.

- * Ed Bowler asked that the deed rider bill be on the September 15 agenda. If possible he will schedule a meeting prior to the task force meeting at 8:00 a.m. Betty will schedule this same room if it is available and notify Ed.

VI. Next Meetings

September 15, 10:00 a.m., room 2000

September 29, 1:00 p.m., room 2000

October 13, 1:00 p.m., room 2000