

# **AGENDA**

## **EXECUTIVE WATER TASK FORCE**

December 7, 2009, 1:30 p.m.  
Rooms 2000, Natural Resources Complex

- I. Welcome and Introductions - Mike Styler
  
- II. Canal Safety Subcommittee Report - Sterling Brown and Representative Fred Hunsaker
  
- III. Deed Rider Update - Ed Bowler
  
- IV. Water Banking - Bob Fotheringham and Representative Jack Draxler
  
- V. Other Matters - All

## **EXECUTIVE WATER TASK FORCE BULLETS**

December 7, 2009, 1:30 p.m.  
Room 2000, Natural Resources Complex

### **Task Force Members:**

Mike Styler, Department of Natural Resources  
Warren Peterson, Farmland Reserve, Inc.  
Lee Brown, US Magnesium/Tooele County  
Merril Bingham, Provo City Public Works/Water Resources  
Voneen Jorgensen, Bear River Water Conservancy District  
Sterling Brown, Utah Farm Bureau  
Mark Stratford, Ogden City/Utah League of Cities and Towns  
Dallin Jensen, Parsons, Behle & Latimer  
Dale Pierson, Rural Water Association of Utah

### **Ex-Officios:**

Mike Mower, Governor's Office of Planning and Budget  
Dennis Strong, Division of Water Resources  
Kent Jones, Division of Water Rights  
Boyd Clayton, Division of Water Rights  
Mike Quealy, Utah Attorney General's Office  
Norm Johnson, Utah Attorney General's Office

### **Guests:**

Craig Peterson, CAP Consulting  
Rusty Vetter, Salt Lake City  
Matt Lindon, Division of Water Rights  
Grant S. Cooper, LDS Church  
The Honorable Jack Draxler, House of Representatives  
Bob Fotheringham, Cache County  
Todd Adams, Division of Water Resources  
Terel H. Grimley, Ogden River Water Users Association  
Jon Clyde, Clyde, Snow & Sessions  
Paul Ashton, White City Water Improvement District  
Lee Sim, Division of Water Rights  
David Hartvigsen, Smith Hartvigsen  
Marlin Sundberg, Holliday Water Company  
Ryan Peterson, CAP Consulting  
Nate Carlisle, *The Salt Lake Tribune*  
Rick Smith, J-U-B Engineers/P&W  
Ivan Ray, Utah Water Users Assoc./Davis & Weber Counties Canal Co.  
Gordon Younker, Utah Association of Conservation Districts  
Dan Davidson, Bear River Canal Company  
Carly Burton, Utah Water Users Association

Guests: continued

Scott Martin, Snow Christensen & Martineau  
The Honorable Fred Hunsaker

I. Welcome and Introductions

- \* Mike Styler welcomed the group and asked everyone to introduce themselves. He stated that Steve Clyde, Ed Bowler, Craig Johansen, Randy Crozier will be unable to attend the meeting today. It looks like Tage Flint will not be attending as well. He informed the team that this would be the last meeting for Betty as she is retiring. He introduced Kaelyn Anfinsen who will be taking her place.

II. Canal Safety Subcommittee Report

- \* Sterling Brown handed out a one-page summary of what has transpired so far. It listed the committee members as well as others that helped the process along. Representative Hunsaker will be the bill sponsor. He went through the “Feedback and Recommendations” from the committee that led to the draft bill.
- \* Representative Hunsaker thanked the subcommittee and expressed his appreciation that the group was able to set aside their personal interests and work toward a solution for the interests of everyone. He stated the bill does not make government entities out of companies. They are private entities and does not change the funding of these private companies. Also, it won’t change the liability, but with a well-defined management plan, it will improve their accessibility to insurance. It will not shift funding from urban to rural or rural to urban. Everyone has an interest. Representative Hunsaker went through the bill by sections.
- \* Mike Styler asked if Representative Hunsaker would be willing to take questions. He agreed and stated that this is a whole new rule that’s been created. It still needs tweaking and the subcommittee will take your suggestions, discuss and re-draft the bill. We need to move the process along to make this a structured plan for a voluntary report.  
DISCUSSION.
- \* Warren Peterson stated he had two motions to make. The first motion is that lines 344 and 345 be stricken and the bill be renumbered from that point on. Mike asked for discussion to the motion but reminded the task force that the final decision on this would fall to Representative Hunsaker. Mike asked for a vote. All in favor, the motion passed unanimously. Warren’s second motion was in reference to the additional changes suggested in the discussion. The motion was seconded by Sterling Brown. Mike asked for discussion. He asked for a vote. The motion passed unanimously. Mike asked whether Representative Hunsaker would agree to another meeting or an open house be set to discuss the new draft.

## II. Canal Safety Subcommittee Report - continued

- \* Representative Hunsaker stated that there isn't anything he wouldn't accept. He stated that once it was re-drafted, he would send it to the task force in an e-mail. Mike Styler thanked the subcommittee for all their work and commitment of time.

## III. Deed Rider Update

- \* David Hartvigsen reported that Ed Bowler attended the annual meeting with the Utah Land Title Association and presented the deed rider. There was some reluctance accepting the document, but after Ed explained the reasoning behind the rider, the association agreed it would be beneficial. The association will meet with county recorders to discuss with them. After that discussion, it will then go back to the association. Discussion on this issue should continue next year of the task force is reauthorized.

## IV. Water Banking

- \* Representative Jack Draxler stated that the Water Banking bill is looking into the future. It will enable counties, if they chose, to set up a water management authority to manage water rights that may be otherwise lost. The language starting on line 199 will help over-appropriated areas like Beryl-Enterprise. DISCUSSION. Sterling Brown made a motion that the task force support the concept of a water banking authority but that control be on a local level. Merril Bingham seconded the motion. Mike asked for a vote. The motion was passed unanimously.

## V. Other Matters

- \* Dale Pierson made a motion to write a letter opposing any decrease of sales tax earmarked for water issues. Mike asked for discussion and then asked for a vote. The task force passed this motion unanimously.