

A G E N D A

EXECUTIVE WATER TASK FORCE

August 4, 2009, 1:00 p.m.
Room 2000, Natural Resources Complex

- I. Welcome and Introductions - Mike Styler
- II. Mini-adjudication Statute, Pertains to 73-4-24 - Ward Wagstaff
- III. Bill Language for Utah Code Section 73-3-3
- IV. Lost Certificates
- V. Next Meetings - August 25, 1:00 p.m., room 2000 and
September 15, 1:00 p.m., room 2000

EXECUTIVE WATER TASK FORCE BULLETS

July 14, 2009, 1:00 p.m.
Room 3710, Natural Resources Complex

Task Force Members:

Mike Styler, Department of Natural Resources
Ed Bowler, Washington County Water Conservancy District
Steve Clyde, Sessions & Swenson
Sterling Brown, Utah Farm Bureau
Mark Stratford, League of Cities and Towns
Merril Bingham, Provo City Public Works/Water Resources
Dallin Jensen, Parsons, Behle & Latimer
Tage Flint, Weber Basin Water Conservancy
Lee R. Brown, Tooele County/US Magnesium
Dale Pierson, Rural Water Association of Utah

Ex-Officios:

Boyd Clayton, Division of Water Rights
Kent Jones, Division of Water Rights
Todd Adams, Division of Water Resources
Mike Quealy, Attorney General's Office
Norm Johnson, Attorney General's Office
Ward Wagstaff, Attorney General's Office

Guests:

Dave Hartvigsen, Smith Hartvigsen, PLLC
Bob Fotheringham, Cache County
Tracie Kirkham, Salt Lake City Public Utilities
Jonathon Jones, US Bureau of Reclamation
Carly Burton, Utah Water Users Association
Paul Ashton, White City Water Improvement District
Mike Kohler, Wasatch County
John Mabey, Mabey, Wright & James
Chris Finlinson, Central Utah Water Conservancy District
The Honorable Patrick Painter
The Honorable Ben Ferry (via teleconference)
Jodi Hoffman, League of Cities and Towns
Steve Styler, Parsons, Behle & Latimer

I. Welcome and Introductions

- * Mike Styler welcomed the task force members. He asked everyone to introduce themselves. He handed out copies of the agenda and the bullets from the last meeting. He noted that Representative Ben Ferry asked for a few minutes of the task force's time

to discuss a couple of issues and since he was unable to attend the meeting, we will be teleconferencing with him.

- * Representative Ben Ferry asked about the status of the deed rider bill. He has spoken with the realtors and they've got some concerns.
- * Ed Bowler explained that he met with the realtors as well and discussed the rider. He now needs to be invited back to one of their scheduled meetings. Our part has been completed, now we need to discuss any other concerns their group may have. Representative Ferry said their concerns are education and access to those forms and suggested they be made available on the computer. Out-of-state attorneys could access via their computers which would expedite the process. He said he would contact the realtors group and let them know the rider is ready for their final review. Mike Styler suggested that the county recorders should be contacted, maybe get on their summer meeting schedules to explain the rider. He also stated the Lt. Governor is on board with this bill.
- * Mike Styler asked Representative Ferry about the canal safety bill. Representative Ferry stated he didn't know what's going to happen yet. He asked for any ideas? Scott Rupp thought that small canal companies should unite to get insurance. Discussion. Mike asked whether the task force should sit back or be proactive? We need to be alert and ready for any legislation. Mike suggested a subcommittee meet and come back with recommendations, and asked Sterling Brown to head that subcommittee. If you'd like to be involved, please contact Sterling.
- * Mike asked Representative Ferry about the fishing access bill. Representative Ferry stated that so far no one can agree on the bill. More discussions will take place.

II. Mini-adjudication Statue, Pertains to 73-4-24

- * Ward Wagstaff handed out the "Suggestions to Amend Section 73-4-24." He stated the proposed amendment is on the back of the hand out. He went through the amendment language and explained that it would clarify the role of the state engineer. Mike Styler suggested language on pre-proposed determination and post-proposed determinations should be included. The task force agreed.
- * Dallin Jensen stated the task force has put to rest two matters - water user claims and amended claims. Is verification needed on a proposed determination? It was decided to discuss this issue more at the next meeting.

III. Utah Code Section 73-3-3

- * Steve Clyde reported that several drafts were reviewed concerning non-use on change applications. We gave some language to Emily Brown. Representative Pat Painter asked what the discussion on this topic has been so far. Steve explained past discussions and stated that more discussion would take place once Emily puts together a draft bill. The task force will review and vote on it at the next meeting.

IV. Other Items

- * Mike Styler asked that the next issue to be discussed at the next task force meeting is lost water certificates. Chris Finlinson agreed to check with Fred Finlinson to see the language they may have developed on the scarcity issue. Anything else? Meeting adjourned.

V. Next Meetings

August 4, 1:00 p.m., room 2000
August 25, 1:00 p.m., room 2000
September 15, 1:00 p.m., room 2000