

## EXECUTIVE WATER TASK FORCE BULLETS

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

### Task Force Members:

Mike Styler, Department of Natural Resources  
Warren Peterson, Farmland Reserve, Inc.  
Merril Bingham, Provo City Public Works/Water Resources  
Voneene 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  
Randy Crozier, Duchesne Water Conservancy District  
Tage Flint, Weber Basin Water Conservancy District  
Ed Bowler, Washington County Conservancy District  
Steve Clyde, Clyde Snow and Sessions  
Craig Johansen, Utah Board of Water Resources

### Ex-Officios:

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:

Chris Parker, Legislative Research and General Counsel  
Matt Lindon, Division of Water Rights  
The Honorable Jack Draxler, House of Representatives  
Fred Finlinson, Utah Water Coalition  
Christine Finlinson, Central Utah Water Conservancy District  
Gene Shawcroft, Central Utah Water Conservancy District  
Richard Bay, Jordan Valley Water Conservancy District  
Eric Millis, Division of Water Resources

## **I. Welcome and Introductions**

- 1 Mike Styler welcomed the group and asked everyone to introduce themselves. He stated that new member Troy Rindlisbacher is unable to attend the meeting today. Troy is replacing Lee Brown who was released from the committee and has served well.
- 2 As the committee made introductions they also listed important water topics from their perspective areas that they would like discussed this year. Those topics include:
  - Money needed to develop Colorado River
  - Canal Safety and Maintenance
  - Change Applications
  - Forest Service Diligence Claims
  - Water Banking

- Shareholders Bill
  - Mark Stratford announced that they are being pro-active in sending people out with GPS units to map the canal system in his area.
- 3 Mike again thanked the Taskforce for their work last year and announced that 13 of the 17 bills recommended by the taskforce were passed favorably during the last Legislative session.

## **II. Taskforce 2010 Legislative Master Study Issues**

- 4 This year the Taskforce has received Master Study Issues from the Legislator's and they are:
- Water Banking
  - Canal Safety (Senator Davis)
  - Ground Water Protest and Studies (Millard County)
    - Mike explained the current status of the Snake Valley legal battle and that Utah has filed protests and paid the fees on 9 filings, we are still monitoring wells and have received Legis. Funding to monitor springs and well, wildlife, habitat...
  - Water Right Change Requests (SB99)
  - Water Rights and River Recreation, to protect property rights and recreation on Utah's rivers. This has a separate taskforce of which Senate Chair is Senator Stowell, and Chairman is Rep. Mel Brown).

## **III. DNR Team Suggested Top Water Issues**

- 5 Colorado River Water Issues
- 6 Fish issues on the Colorado
- 7 Promote Beneficial Use
- 8 Allocation issues (mining)
- 9 Funding projects
- 10 Water Rights Adjudication
- 11 Aging Infrastructure
- 12 Water Quality
- 13 Tough on Forfeiture

## **IV. Congratulations to those who worked on Realtor Requirements**

- 14 Thanks and acknowledgement was given to Ed Bowler for his work on the Realtor requirements and to all who helped with the new form. – David Hartvigson, Fred Finlinson, Warren Peterson, Rep. Ferry, Rep. Webb, and Rep. Draxler.
- 15 Ed is using this form in his office and it works very well. It will become an essential standard and is and will continue to be very helpful.

## **V. Division of Water Rights Top Issues**

- 16 Boyd Clayton distributed a handout and briefly explained the top issues of Water Rights.
- Water for fish and public uses
  - Priority and Change Applications (Public confusion)
  - 73-3-18, Delete section in the 1937 Code?
  - Is it helpful to record Water Certificates?
  - Change Applications – no evidence of use, no source of supply

- Diligence claim issues
- 40 year plans are now coming to the State Engineer
- Ground Water development reasonableness
- Water for Wildlife and beneficial use
- Over appropriation (Do we want to change our thinking?)
- How to administer surface and groundwater effectively?
- Recording heir ship as adequate evidence of transfer
- Regulate water movement from basin to basin
- Changing water to other uses and then back again
- Include depletion on Certificates of Appropriation
- Modify statute for ability to direct enforcement issue money to pay for expenses and not directed into General Fund.

## **VI. Other Suggested Water Issues**

17 Steve Clyde suggested:

- Mutual Companies ability to deal with lost Certificates
- What can we do as a body to promote conservation?

18 Warren Peterson suggested:

- Water Funding (infrastructure)

19 Craig Johansen suggested:

- Water Resources Funding – deleting money from revolving loan fund
- Water Right protected from liability suit, cool-off period)
- Forest Service Diligence Claims (have both jointly own land/water)

**20 The Taskforce members were asked to take all of the suggestions and prioritize them in order of importance and return their Rankings to Kaelyn Anfinsen at [kaelynanfinsen@utah.gov](mailto:kaelynanfinsen@utah.gov) for distribution at the next meeting.**

## **VII. Water Banking**

21 Representative Draxler led discussion on past legislation HB84 which was held in rules pending more information and support. Handouts of last draft and suggested changes were distributed and questions still needed more information and explanation. It was decided to continue this discussion at next meeting and Taskforce suggested comments from Bob Fotheringham, Norm Johnson, and Kent Jones as to their input on the bill.

22 Dennis Strong and Norm Johnson were also asked to distribute and evaluate the section of Bear River compact that may pertain to this issue.

The meeting was adjourned and the next meeting scheduled for Tuesday, June 1, 2010 at 1:30 PM to be held at DNR in Room 2000.