

Uintah Water Conservancy District

Board of Trustees
Board Meeting Minutes
August 9, 2022

Approved

Conducting: Chairman Quentin Johnson called the August 9, 2022, Board Meeting to order at 10:00 a.m. at the District Office and welcomed guests.

Present:

Trustees: Quentin Johnson, Tyson Murray, Dean Baker, Todd Thacker, Shane Frost, Greg Witbeck and Mitch Phillips.

Others: William Merkley, UWCD General Manager; Mary Searle, UWCD Clerk; John Hunting, UWCD O&M Manager; Dave Rasmussen, UWCD Consultant; Bart Jensen, Jones & DeMille; Wayne Simper, Central Canal Co.; Jeff Hearty, Scott Elliott, Bureau of Reclamation; Tony George, Rock Point Canal; Craig Nebeker, CRS Engineers; Bart Batty, River Commissioner; Gayle McKeachnie, Attorney; Andrew Dutson, Utah State Engineer's office; Cameron Haynes.

Approval of Minutes Greg Witbeck made a MOTION that was SECONDED by Dean Baker and passed unanimously to approve the June 14, 2022, Board Meeting minutes.

Green River Water Lease Cameron Haynes is requesting 100 AF of Green River Water to install a pump to irrigate 25 acres. Todd Thacker made a MOTION that was SECONDED by Shane Frost and passed unanimously to approve a 20-year lease for 100 acre feet of Green River water with the rate being reviewed after the first ten years.

Steinaker Release to Lower Ashley Creek Bart Batty reported there is water being held in Steinaker Reservoir that might have gone downstream to help the lower Ashley Creek water users. The water was stored out of priority. We can only store water for a rolling fourteen days. The most fair way is to keep track of water then release it downstream and let the lower Ashley users use it. We need to satisfy the canal rights first then send it down the creek. It was agreed that we should turn 20 second feet of water down the creek all the while recognizing that there are many users in between that also have a right to the water.

Red Wash Spring Creek Water When Steinaker was built, it covered up the drainage for Red Wash. An agreement was made that 400 acre feet of stored water would be delivered out of the Vernal Unit to Red Wash users. Rock Point was to deliver the 400 acre feet through the Haslem pipeline. The natural drains are mostly dried up. The right is in question because it is at three acre feet per acre. The problem is that water is impounded in Steinaker for Rock Point delivery. The Bureau of Reclamation and the District agreed that was a way to release it.

There are many individual filings on Spring Creek. Everyone who got Red Wash water has the same 1877 priority date. The top of Spring Creek has one year earlier priority date (1876). Red Wash is considered a tributary to Spring Creek. There are no filings on Red Wash. We would need to amend agreements and spread water over more users. Red Wash Irrigation Company no longer exists—their entity lapsed in 2008. Water that was owned by that company belongs to the shareholders. The water is in part of the District's filing. To pick up the later priority, we would have to deliver more water. If they are getting more water than their right, it has to go back to the Creek. The Board wanted more information before making a decision. It was suggested that we look at a similar situation with Sand Wash.

Operations Updates

Steinaker Reservoir is at elevation 5491.49 with an active capacity of 15,205 acre feet and an inflow of 8 CFS with 100 going out. Red Fleet Reservoir is currently at elevation 5575.98 with an active capacity of 12,498 acre-feet and inflow of 12 CFS with 53 going out. We are pumping 15 CFS out through the pumping plant for culinary. Brough is at elevation 5087.63 with an active capacity of 486 acre feet with 5 CFS going out. Cottonwood is at elevation 5247.11 with an active capacity of 2,766 with 12 feet going to Brough. Pelican is down 3-4 feet. The Green River pumps have pumped 3394.6 acre-feet with 850.6 of that going to Brough.

2018 Safety of Dams

We have received the final payment schedule. There is a question about how to handle 406 acre feet being used for M&I purposes. The M&I portion of the payment is \$78,205/year. \$15,828.13 needs to be divided between the canal users. The large users would have to decide how to bill their water users. This will be an annual billing. Shane Frost made a MOTION that was SECONDED by Mitch Phillips that was passed by everyone (except Dean Baker abstained) to approve the payment schedule as presented.

Service Canal Enclosure Project

William gave a project update. The construction contractor is BHI and pipe will be purchased from ISCO. The funding is as follows: Utah Board of Water Resources \$21,428,000; Bureau of Reclamation \$4,500,000; WaterSMART \$1,500,000; Utah Department of Agriculture \$500,000. The District has already paid \$734,756.30 into the project. The Bureau will provide up to \$4.5 million and will write the repayment contract only according to money they provide. The infrastructure funding will be the first contract done on this. We need to get this agreed to before the end of September. This is a structured contract so the money is only going for the HDPE pipe. The contract is still in draft form. Dean Baker made a MOTION that was SECONDED by Tyson Murray and passed unanimously to authorize William to sign the contract when finalized up to \$4.5 million for a fifty-year term for the acquisition of pipe. The staging areas are set to go. Clay materials will be from the Honda Hills backfill borrow area. Fences will be surveyed this week. BHI will remove and replace fences after the project is completed. BHI feels there are no encroachments that they cannot work around. The Bureau of Reclamation will enter into encroachment agreements with each land owner.

Delivery of pipe will begin August 22 with ten trucks per day each truck carrying one joint of pipe. They are now building a stockpile in South Carolina. The fusion machine is being tested this week and next with Bureau personnel in attendance. This will be the first installation of HDPE pipe this large in the USA. Water delivery below 500 North will stop September 1. Substantial completion date is April 15, 2023 with final completion November 15, 2023. All fittings, drains and air vents will be installed after the pipe is fused and installed.

Because of additional work required by the District, Dean Baker made a MOTION that was SECONDED by Greg Witbeck and passed unanimously to approve Contract Amendment 2 (\$43,902) AND Contract Amendment 3 (\$188,175) with Bowen Collins & Associates.

Red Fleet MOA Project

The last project is under way—actively replacing the toe drain. The second toe drain is being put in place. The dam must be monitored daily during this procedure. If anything changes or moves, they will take appropriate measures.

VU Efficiency Project Watershed Plan

Bart Jensen reported they are updating the map to include connectivity of the Service Canal with other canals in the area. The EA will be re-submitted as soon as possible. They have requested a waiver for funding to be provided after the project is completed.

Uinta River Bifurcation

Bart Jensen reported we were successful in obtaining a \$750,000 WaterSMART grant and a \$500,000 Water Optimization grant. We may be looking at Fall 2023 to start this project. The District put in four applications for state funds. After they went through the ranking process, they were all approved, but the money is supposed to be used only on one project per agency. After discussion, Tyson Murray made a MOTION that was SECONDED by Shane Frost and passed unanimously to authorize William to accept and sign grants.

Burning Mine Tower

The pole at Burning Mine needs to be replaced. SBT Internet uses the tower also so they will install it if we will provide the materials. Todd Thacker made a MOTION that was SECONDED by Mitch Phillips and passed unanimously to provide materials up to the cost of \$4,500 for replacement of the Burning Mine Tower.

Financial Statements

Shane Frost made a MOTION that was SECONDED by Greg Witbeck and passed unanimously to approve the June and July 2022 financial statements.

Invoices

Shane Frost made a MOTION that was SECONDED by Todd Thacker and passed unanimously to approve paying Bowen Collins \$40,347.43; BHI \$14,650; PdM Professionals \$2,520; Snow Christensen \$19,833.55 for a total of \$77,350.98.

Jensen Stock Water

William gave a brief history on how this was implemented. Our cost is what it costs to treat the water used by qualified stock owners and our share of operating costs for them to deliver that water through their system. The cost is very high this year because they purchased less water but their operating expenses were

high. Jensen agreed to accept a lower payment for stock water this year that will be computed on the water they reported purchasing to the state.

**Board Policy -
URS**

The Utah Retirement System has requested that the board set a policy regarding appointees qualifying for retirement according to state law. Shane Frost made a MOTION that was SECONDED by Dean Baker and passed unanimously to add the following to the Administrative Code: 2502.03 - Since Trustees are not compensated enough to qualify for Uintah Water Conservancy District benefits, both Tier I and Tier II Trustees will be considered NOT ELIGIBLE to receive retirement benefits.

**Snow
Christensen rates**

Shane Frost made a MOTION that was SECONDED by Tyson Murray and passed unanimously to approve the Snow Christensen new rates as presented.

**Juneteenth
Holiday**

Employees did not take this holiday off even though it became a Utah State holiday. Shane Frost made a MOTION that was SECONDED by Dean Baker and passed unanimously that employees will be able to take their personal day in 2022 but starting with 2023, that personal day will be traded for the Juneteenth Holiday.

Manager Report

The Utah Special Districts conference is coming November 2 and board member training is provided. New board members need to be trained within the year and all board members need open meeting training.

Wayne Simper updated the board about the progress on piping the Central Canal. Shane Frost reported that another 200 acre feet of Green River water has been requested through Ouray Park. That will be approved in the next meeting. They need to test the irrigation system and get Moon Lake to move forward with connections. They have been running one pump. They are trying to match demands. Andrew Dutson said they may have funding through the state for measuring devices on the high mountain lakes.

Closed Session

Tyson Murray made a MOTION that was SECONDED by Dean Baker and passed unanimously to go into/out of closed session to discuss pending litigation.

Adjourn

Shane Frost made a MOTION to adjourn which was SECONDED by Todd Thacker and passed unanimously. The meeting was adjourned at 12:35 p.m.