

*Approved*

BOARD OF WATER RESOURCES MEETING

MINUTES

February 11, 2016

Department of Natural Resources  
Auditorium  
1594 W. North Temple  
Salt Lake City, Utah

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## SUMMARY OF BOARD ACTIONS

1. Minutes from the December 3, 2015 meeting were approved. Page 1
  
2. The Board voted to commit an additional \$285,000 to the project for the Ephraim Irrigation Company, with the total of \$2,155,000 to be repaid at 2% interest over approximately 30 years with annual payments of \$96,000. Page 1
  
3. The Board voted to commit an additional \$170,000 to the project for Wellsville-Mendon Conservation District, with the \$850,000 in bonded indebtedness to be repaid at 1.2% interest over 25 years with annual payments of approximately \$41,000, including reserves). Page 2
  
4. The Board voted to authorize the project for the Bear River Canal Company and commit funds out of the Revolving Construction Fund in an amount up to \$659,000 (85%), to be purchased at 0% interest over 10 years with annual payments of approximately \$66,000. Page 2
  
5. The Board agreed to delay the start of principal payments from the Mountain Green Secondary Water Company by one year to December 1, 2016. Page 3
  
6. The Board voted to withdraw the applications from Duchesne County Water Conservancy District and Uinta and Whiterocks River Commission. Page 3
  
7. The Board voted to amend the contract with New Escalante Irrigation Company to provide an additional grant of \$88,000 for the repair of Wide Hollow Dam. Page 3
  
8. The Board voted to extend a dam safety grant of \$1,512,000 to the North Utah County Water Conservancy District for work on Tibble Fork Dam. Page 4

## THOSE PRESENT

The Utah BOARD OF WATER RESOURCES met in regular session on Thursday, February 11, 2016 at the Department of Natural Resources, 1594 W. North Temple, Salt Lake City, Utah. Chairman James Lemmon presided over the 1:00 p.m. meeting.

### BOARD MEMBERS PRESENT:

Jim Lemmon, Chair  
Steve Farrell, Vice-Chair  
Charles Holmgren  
Stew Paulick  
Blaine Ipson  
Norm Johnson  
Dave Humphreys  
Gawain Snow

### STAFF MEMBERS PRESENT:

Eric Millis, Director  
Todd Adams, Deputy Director  
Bill Leeflang, Assistant Director  
Barbara Allen, Secretary  
Jim Egbert, Finance Officer  
Randy Staker, Accounting Officer  
Shalaine DeBernardi, Contracts Officer  
Joel Williams, Chief of Investigations  
Tom Cox, Engineer  
Marisa Egbert, Engineer  
Jacqueline Pacheco, Engineer  
Jed Parker, Engineer  
Ben Marett, Engineer  
Joshua Palmer, Public Information Officer  
Dave Cole, Chief, Hydrology  
Robert King, Chief, Interstate Streams  
Aaron Austin, GIS Analyst  
Adam Clark, GIS Analyst  
Scott McGettigan, Engineer  
Frank Little, Engineering Technician

### OTHERS PRESENT:

Paul Gedge, ITS specialist  
Randy Julander, National Weather Service  
Dave Brown, State Conservationist, NRCS  
Mike Larson, Ephraim Irr. Co.  
Layne Jensen, Franson Civil Engineers  
Quinn Murray, Wellsville Mendon Cons. Dist.  
Zan Murray, Wellsville Mendon Cons. Dist.

Curtis Maughan, Wellsville Mendon Cons. Dist.  
Mike Talbot, U.S. Bureau of Reclamation  
Bronson Smart, NRCS  
Darin McFarland, Bear River Canal Co.  
Chris Breinholt, Bear River Canal Co.  
Rulon Gardner, Mt. Green Secondary Water Co.  
Skyler Gardner, Mt. Green Secondary Water Co.  
Kim Harding, New Escalante Irr. Co.  
Gary Harding, New Escalante Irr. Co.  
Mike Chambers, No. Utah Co. WCD  
Ernest John, NUCWCD  
Larry Mendenhall, NUCWCD  
Carl S. Clark, NUCWCD  
Brad Price, RB&G Engineering  
Nathaniel Jones, CH2MHill  
Martha Ham  
Jim Webster  
Lisa Rutherford  
Paul Van Dam  
Gail Blattenberger  
Tom Butine  
Gregg Ferris  
Rebecca Himsl  
James Cutlin  
Deborah Drain  
Lynn Carroll  
Lynn deFreitas  
Amy Sibul  
Paul Zuckerman  
Paul Fisher  
Nick Schou  
Kirk Robinson  
Gabriel Lozada  
Zach Frankel  
Marcia Walke  
Claire Gedeles  
R. Jefre Hicks  
Eric Balkun  
Gordon Rowe  
Sky Chaney  
Heather Dove  
Margaret Suhr  
Jim Suhr  
Karyn Evertsen  
Rick Evertsen  
Janet E. Haines

Arthur Haines  
Luis Vidal  
Tim Peterson  
Dave Pacheco  
Caron Oliver  
Robert A. Bero  
Thayne Clark  
Sylvia Wilcox  
Ellen Decoo  
Palen Potter  
Brent Thompson  
Jeff Pace  
Barbara Wise  
Andy Wallace  
Dennis Gunther  
Chris Peterson  
Mike Eichorn  
Kigen Curlie  
Steve Schmidt  
Colleen Farmer  
David Carrier  
Katherine Wallace  
Tad Flanigan  
Paul H. Harrison  
Jill Merritt  
Sarah Dain  
Chris Gorzalski  
Kathryn Albany  
Ann Neville  
Steve Erickson  
Joshua Barnes  
Lauren Probst  
Lauryn Simmons  
Paul Daniels  
Tanna Fullenkamp  
Jamie Barnes  
Laura Ault  
Cindy Lund  
John Neill  
Andrew Kooyman  
Nancy Sakahara  
Jeffrey Himsl  
Janessa Edwards  
Justin Atkinson  
Dan Tuttle  
Paul Dremann

Rodrigo Eyzaguirro  
Holly Williams  
Andy White  
Louis Williams  
Bill Hirt  
Ron Rowley  
Jeff Salt  
Rob Dubre

MINUTES OF THE  
BOARD OF WATER RESOURCES MEETING  
February 11, 2016

Chair James Lemmon called the meeting to order at 1:00 p.m.

APPROVAL OF MINUTES

Gawain Snow moved that the minutes from the December 3, 2015 board meeting be approved as written; Norm Johnson seconded the motion, and it passed unanimously.

Chair Lemmon welcomed everyone and turned the time over to Joshua Palmer. Mr. Palmer welcomed everyone and invited the public to make comments at the end of the meeting. He said people could either address the board, keeping their remarks to two minutes, fill out a comment card, or stay after the meeting to speak with him personally.

WATER SUPPLY UPDATE

Randy Julander from the Utah Snow Survey gave the Utah water supply report. He said temperatures are back to normal. Precipitation data for the water year to date showed southern Utah doing exceptionally well and northern Utah about average, which is typical for an El Niño season. However, the El Niño is declining very rapidly and may even turn into a La Niña situation. Snowpack in the north is near normal, between 90 to 110% of average. In southern Utah it ranges from 110% to 160% of average. Some areas in the south may need to prepare for way above normal streamflow in the spring, as the snowpack is well above the April 1 snowpack peak already. All reservoirs in the south should fill with the exception of Sevier Bridge. The farther north you go the less the snowpack. Most of the reservoirs in the north should fill. Soil moisture conditions in northern Utah are a little below average, but southern Utah is above average. Reservoir storage statewide is running at about 60% of capacity right now, which is a testament to good water management to have that storage following four years of drought. Projected stream flow is 80-100% in the north and above average in the south. Future predictions are that temperatures have an equal chance of being above or below average, and precipitation will be slightly above normal. Current drought conditions still linger in northern Utah. Overall, water supply conditions have improved substantially from the past five years.

COMMITTAL OF FUNDS REPORTS

#E352 Ephraim Irrigation Company

Mike Larson and Layne Jensen were welcomed to the meeting.

Marisa Egbert gave the report. The sponsor came before the board over a year ago for assistance on a project to rehabilitate the Ephraim Tunnel. The project will include fitting pipe and bracing through the full length of the existing tunnel, and replacing inlet and outlet structures. Construction is ready to begin; bids have been opened and are higher than expected. The cost

estimate has increased by about \$330,000. The sponsor is asking for an additional \$285,000 and that the repayment term be extended to 30 years.

Mike Larson said they have moved forward with the project using their own funds and WaterSMART grant money. The requested extension on the repayment will keep the payment closer to what was in the original authorization. Layne Jensen said the project will have a life span of about 100 years for the pipe itself, and being encased in concrete should increase it beyond that.

Blaine Ipson made the motion to commit an additional \$285,000 to the project, with the total of \$2,155,000 to be repaid at 2% interest over approximately 30 years with annual payments of \$96,000. Steve Farrell seconded the motion and all were in favor.

#### #E376 Wellsville-Mendon Conservation District

Chair Lemmon welcomed Quinn Murray, Curtis Maughan, Zan Murray, and Mike Talbot.

Marisa Egbert gave the report. She showed pictures of the project and the landslide alongside the canal. The Bureau of Reclamation is requiring the sponsor to line or pipe that section. The project needs to be completed very quickly so that water can be turned into the canal for the irrigation season. Bids came in higher than expected and the sponsor is asking the board for an additional \$170,000 to cover the cost, and to increase the repayment term to 25 years.

Zan Murray expressed appreciation for Ms. Egbert's work and staff's support. The increased cost is because the reinforced concrete pipe they opted for costs a little more and the Bureau of Reclamation needs to be paid for inspection services. The projected life span for the pipe is 80 to 100 years.

Charles Holmgren made the motion to commit an additional \$170,000, with the \$850,000 in bonded indebtedness to be repaid at 1.2% interest over 25 years with annual payments of approximately \$41,000 (including reserves). Norm Johnson seconded the motion, which passed unanimously.

#### SPECIAL ITEM REPORTS

##### #E377 Bear River Canal Company

Board member Charles Holmgren recused himself from the board as this item was discussed and acted upon.

Darin McFarland, Chris Breinholt, and Charles Holmgren were welcomed.

Ben Marett gave the report. The proposed project is for repairs at three locations along the Hammond Canal in Box Elder County. Seepage is extensive and damages farm land in the area. The sponsor would like to line and pipe about 1,000 feet of the canal, which will also increase

safety and protect residential areas. A flow measurement structure will also be installed on the West Canal.

Charles Holmgren expressed appreciation for the board's help with projects in the past, and for Mr. Marett's rapid response to their present request. Chris Breinholt said Doppler-type equipment will be used to measure flows in the West Canal.

Dave Humphreys made a motion to authorize the project and commit funds out of the Revolving Construction Fund in an amount up to \$659,000 (85%), to be purchased at 0% interest over 10 years with annual payments of approximately \$66,000. Gawain Snow seconded the motion and all were in favor.

#E284 Mountain Green Secondary Water Company

Chair Lemmon welcomed Rulon Gardner and Skyler Gardner to the meeting.

Tom Cox gave the report. The sponsor has constructed pump stations and pipeline, and has drilled a well that did not produce very much water. Construction is ongoing to complete Cobble Creek Dam. Complications in design and dewatering have delayed the project. Because the project is still not complete, the sponsor is requesting a delay in the start of principal repayments for one year. The sponsor has made the interest payments in 2014 and 2015.

Rulon Gardner said as they got into construction, some of the conditions they found delayed the project. They cannot increase fees until they can deliver the water. The reservoir size is being increased because the well did not produce what they needed and they need to be able to store more water.

Dave Humphreys moved that the board approve the sponsor's request and the start of principal payments be delayed one year to December 1, 2016. Steve Farrell seconded the motion, which passed unanimously.

#E358 Duchesne County Water Conservancy District  
#E359 Uinta and Whiterocks River Commission

Gawain Snow moved to withdraw both projects from further consideration by the board. Dave Humphreys seconded the motion and it passed unanimously.

DAM SAFETY REPORTS

#C035 New Escalante Irrigation Company

Kim and Gary Harding were welcomed to the meeting.

Joel Williams gave the report. The project is to replace defective riprap on the Wide Hollow Dam. The sponsor is requesting additional dam safety funds to help pay for the repair.

Gary Harding expressed appreciation for help on the dam, and said they are trying to take care of it as best they can. The geomembrane goes all the way down the embankment, but the riprap at the top is affected by ice buildup as freezing occurs.

Blaine Ipson made the motion to amend the contract to provide an additional grant of \$88,000 for the repair. Gawain Snow seconded the motion and all were in favor.

#### #C052 North Utah County Water Conservancy District

Chair Lemmon welcomed Carl Clark, Mike Chambers, Ernest John, Larry Mendenhall, and Brad Price to the meeting.

Tom Cox gave the report. The sponsor owns five dams with primary purposes of flood control, with secondary purposes of water storage and recreation. The Natural Resources Conservation Service (NRCS) has given money in dam safety grants to upgrade these dams, providing a cost share of 65%. The rehabilitation of Silver Lake Flat Dam has been completed. Tibble Fork Dam is next in line to be rehabilitated, with construction scheduled in May. Because more than half of the dam's capacity has been lost through sedimentation over the years the sponsor needs more storage capacity. It is less expensive to raise the dam than dredge the reservoir. Because some of the work does not fall under minimum standards requirements and the sponsor's other three dams will be upgraded this year and next, this places the sponsor under quite a financial burden. The sponsor is requesting dam safety grant funding to meet standards when the dam is raised.

Carl Clark requested additional grant money in the amount of \$535,000. Brad Price said to replace the lost storage the dam will have to be raised and then more work will have to be done to meet minimum standards. They are asking for dam safety funds to complete the additional required work.

Steve Farrell said there was quite a discussion on where to draw the line between needs and enhancement. There are so many dams that need work, the board was afraid of the precedent set to give more grant funding. He said the motion will be made to approve staff's recommendation, but perhaps some of the district's member companies could come to the board to request loan funding to raise the dam.

Steve Farrell made a motion to extend a dam safety grant of \$1,512,000 to the sponsor. Charles Holmgren seconded the motion. The motion passed unanimously.

#### LAKE POWELL PIPELINE REPORT

Bill Leeftang said the review process of the Preliminary License Proposal (PLP) is continuing, so not much has happened since the last report. There is a 90-day agency, tribal, and public review process happening now through February 29. Following receipt of comments, modifications will be made to the PLP before the official license application is submitted to FERC at the end of April.

Two open houses have been held on the project, one in Kanab and one in St. George. There was a lot of participation and they were very successful.

### DIRECTOR'S REPORT

Director Millis said the legislature is in session and there are a number of bills that are being tracked. The base budget has passed and is in good shape. The division has asked for several building blocks to address issues raised by the audit, including hiring another person to help with data collection so it can be reported annually instead of every five years has been done in the past. Also, the division has asked for funding for water conservation efforts, including money so that state facilities can be retrofitted with conservation improvements, as well as money to help step up the Slow the Flow campaign and provide seed money for rebates. HB305 is to help with the audit recommendations.

### SLIDE PRESENTATION

Joel Williams gave a slide show presentation on the rehabilitation of Kaysville Dam.

The Board agreed to hear comments from visitors and allotted an hour for them.

Public Comment: In addition to project sponsors and regular guests, more than 80 others attended the board meeting to make comments principally about the Lake Powell Pipeline, Bear River development, and Senate Bill 80. Many had been incorrectly told the board meeting was a public hearing on those topics. The time was turned over to Joshua Palmer. Twenty-seven people addressed the board.

Comments in general included:

- 1) Statements supporting increased water conservation efforts in lieu of big water development projects.
- 2) Statements supporting converting agricultural water to M&I uses.
- 3) Statements against the Lake Powell Pipeline Project, and its associated cost.
- 4) Statements against the Bear River Development Project and concern regarding impacts on the Great Salt Lake.
- 5) Statements against Senate Bill 80.
- 6) Statements challenging current water data, supporting improved water data collection, and implementing recent state audit recommendations.

Meeting adjourned at 3:08.